

THE

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ART. I.—1. *Draught of a Bill ‘for Abolishing the Payment of Fines and Stamp Duties on the Admission of Freemen of the City of London, and for Making and Keeping a Roll of the Citizens of the said City.’*
[Mr. Hume.]

2. *Petition of Commonalty and Citizens of London, to be presented to the House of Commons for Restoration of their Ancient Liberties.*
3. *What is the Corporation of London? And, Who are the Freemen?*
By J. Toulmin Smith, Esq., of Lincoln’s Inn, Barrister-at-Law.
London : Effingham Wilson.
4. *Proceedings of Wardmotes in Farringdon Without, November, 1849 — May, 1850.*
5. *Corporation of London ‘Reform.’ Letter to Sir James Duke, Bart., M.P., Alderman of the Ward of Farringdon Without.* By J. Toulmin Smith, Esq., 3rd January, 1850.
6. *Address of the Citizens of the Ward of Farringdon Without, in the City of London, to their Fellow-Citizens of the other Wards in the said City.*
7. *Memorial of the Citizens of the Ward of Farringdon Without, in Wardmote Assembled, 9th January, 1850, to the Lord Mayor,*

Aldermen, and Commons, of the City of London, in Common Council.

8. *Abstract of Returns of the Number of Householders, distinguishing Freemen and Non-Freemen, together with the Numbers on the List of Voters, made under the Act 12 and 13 Vict., cap. 94. Presented to the Court of Common Council, 22nd November, 1849.*
9. *Report of the City Solicitor to the Court of Aldermen on the Stamp Duty, payable upon admission of Persons by redemption to the Freedom of the City. February, 1850.*

THE abuses of the corporation of London have been a standing topic for declamation and satirical jocularity for a quarter of a century. The call for reform has been both loud and long; but like all popular demands, where earnestness of purpose and consistency of action were wanting, it was a cry, and nothing more. Men of keen moral sense were justly indignant at the mismanagement, jobbery, and tinsel extravagance, which have characterised corporate administration of corporate property under the oligarchic rule of the last one hundred and twenty-five years; and wrath found vent in the grumblings, loud and deep, of hard-taxed citizens, and in the lighter artillery of innumerable jokes and jokelets. Men only looked at the surface of the evil; they saw not the fruitful cause of abuse in the oligarchic usurpation of 1724, which, through fraud and force, subverted the free constitution of a thousand years, and constituted the metropolitan municipality a great central example of irresponsible misrule. And so will it always be, when empirical expedients are preferred to fundamental principles. In the ‘pusillanimous and degenerate race,’ who have supinely borne the accumulated abuses of the system, one can scarce believe he sees the descendants of the good men and true who did the commonwealth such service in stern times of old. Quiet men have lamented, and noisy men have declaimed, on these abuses, but the kingdom of Cockayne is still governed under the popular encroachments of the infamous ‘Alderman’s Act.’ It is true that the city of London rejoices in the possession of the ‘Reform Act’ of 1849—the beautiful and consistent statute of 12 and 13 Victoria, under which a constituency which had grown ‘small by degrees,’ by a bound became so ‘beautifully less,’ that citizens of discernment have abandoned hope of preserving even the form of representation, for want of a constituency. In this state of affairs a ‘reform,’ as it is vaguely termed, or as we take leave to phrase it, a renovation of the corporation of London, has become a vital necessity.

Mr. Hume has undertaken to introduce a bill into the House of Commons ‘for abolishing the payment of fines and stamp-duties on the admission of freemen of the city of London, and for making and keeping a roll of the citizens of the said city.’ Brevity and perspicuity have long been lost sight of in the mechanics of law-making. It is a relief, therefore, to turn from the mighty maze of our statute-book since the days of the Revolution, illustrating so copiously, as Sheridan once remarked, legislation on ‘the-house-that-Jack-built’ principle,* to a bill of three clauses, which seems to meet all the requirements of the time, and to provide legitimately for the wants and wishes of those concerned, not by experimental enactments in the set phrase of parliamentary verbosity, but according to constitutional principle, and with the forcible brevity of a declaration of rights. Mr. Hume’s—or, if parliamentary conventionalism will permit honour to whom honour is due, Mr. Toulmin Smith’s bill, is not only a model bill, but, in the Baconian sense, an exhaustive measure ; it is at once radical and conservative—radical, in uprooting the excrescence of class-rule, by which abuses were fostered and maintained; conservative, in restoring to the commonalty their precious birthright of self government.

The bill declares, that by the ancient common law of England, every man who has been an occupier within any city or borough for the space of a year and a day, becomes thereby a free man, entitled to the exercise and enjoyment of all the rights and liberties, and liable to the discharge of all the duties and obligations, of a citizen and freeman, within such city or borough. It then sets forth, that in restraint of the said good and wholesome law, certain fines have been imposed and levied, and stamp-duties exacted in limitation of the number of those entitled to the rights of citizenship, and liable to the discharge of the co-ordinate duties. The bill, therefore, provides for the total repeal of these impositions, municipal and legislative, and declares and enacts that every man who shall occupy, ‘on his own behalf, either separately or jointly, and either by way of residence, or for the purpose of carrying on there his own proper lawful business, calling, or profession (and not merely as the servant, or in the pay of another person), any house, part of a house, chambers, or other premises within the city of London, for the space of a year and a day, is, and shall thereby become a citizen and free man, and member of the body corporate of the said city,’ entitled to all the rights and liberties, and to vote at every election for alderman, common councilmen, and all other functionaries and officers whose election is usually made in wardmote. The second

* ‘This is a law to alter a law to improve a law to add to a law that Jack made.’

section provides that a roll of the citizens and freemen shall be kept by the alderman of each ward, and that wardmotes shall, ‘for the above, together with such other purposes as shall seem good to the occupiers within each ward,’ be held four times in each year; namely, in March, June, September, and December, when the roll shall be amended and made good. In this clear and concise measure are embodied the leading principles of the admirable system of self-government on which English liberty depends.

The corporation of London, notwithstanding its oligarchism and abuses, which are rather to be considered as excrescences than constitutional defects, is justly entitled to the respect and regard of all free men. It is an epitome of the ancient popular constitution of England, against which so many sneers have lately been directed by mere party politicians, through ignorance of its true character and worth. The corporation of London is the most complete representative left in this country of that sound and wholesome system of local self-government which formed the basis of our Saxon institutions, and which existed in full activity and healthy vigour throughout the whole land. In the popular passion at the present day for submitting everything, from man’s birth to his burial, to the legislative pleasure of Parliament—the result, not the source of power—we have lost sight of the great fundamental principles on which our Saxon ancestors built English freedom. It is not very surprising, therefore, that politicians, who go no further back than the revolutionary settlement of 1688 for their ‘constitutional principles,’ should occasionally indulge in hackneyed sneers at the wisdom of their ancestors. Nothing can be clearer to him who reads constitutional history aright—not in the treatises and essays of modern compilers, but in the originals of our records—that the Saxon constitution embodied as perfect a system of popular self-government as was ever tried in any country, or at any time. The system of local legislation, which Milton propounded as an element in his ideal of a perfect commonwealth—although the practice had in his day become disused, under the successive encroachments of kings, nobles, and parliaments—was, nevertheless, then actually in legal existence by the common law of England. It is only necessary now to refer to the progressive development of self-government, from the family to the whole commonwealth, in the institutions of the tythings, hundreds, shires, and common council, or parliament, of the whole realm. This was the practical application of the two great fundamental principles of the constitution, everywhere apparent in our ancient laws—that all law must spring from the people, and be administered by the people; principles the establishment of which

is beyond the memory of history, older than the descriptions of Tacitus of the parent German stock of the Anglo-Saxon race. On the other hand, it is a remarkable fact, that all the encroachments on the right of the commonalty to administer the laws made by them, are of comparatively modern date, and are made by express statutory enactments—thus affording *prima facie* legal evidence of an antecedent common law or popular custom, which any one familiar with our records can verify by a cloud of proofs.* It has been well observed by Mr. Toulmin Smith, in one of his learned and ingenious works on the constitution, that the very fact of members of Parliament being, of ancient right, sent up from any place, is in itself evidence that the place sending them formed an institution of local self-government for all other purposes; for the sending up of representatives was merely an incident to, not the essential purpose of, the institution; and the persons sent were anciently not elected specially for that purpose, but were those who had been chosen to one of the principal offices of the district.†

This is an important constitutional fact, involving great moral and political considerations, which must be apparent to every reader versed in the philosophy of government, but which are altogether ignored in contemporary movements for political reforms. In passing, we may be permitted to remark, that these institutions of local self-government are now part and parcel of the existing law of this land; not in the fragmentary fictions of ‘boards’ and ‘trusts,’ ‘councils,’ and other self-delusions, established under the policy of centralization, but in the healthy verity of the folkmotes, in all their well-organized developments and ramifications throughout the political system. Jefferson, the American statesman, was profoundly impressed with the philosophy of localization; and he lamented, if we remember rightly, that it was not carried out on a more complete plan. ‘It is not,’ he says, ‘by the consolidation or concentration of powers, but by their distribution, that good government is effected. Were not this great country (the United States) already divided into

* Many proofs might be cited. Two must here suffice—in the cases of the appointment of sheriffs and justices of the peace. By the common law, the *sheriff* was chosen by the county, as the coroner now is; but the statute 14 Edward III. c. 7 (1340) provides, that he shall be appointed yearly on the morrow of All Souls, at the Exchequer, by the Chancellor, Treasurer, and Chief Baron, taking to them the chief justices, &c., *except in London*, where the form of a popular election (encroached on in recent times) is still preserved. The *justices of the peace* were anciently chosen by the freeholders of the county. They were first appointed by commission under 1 Edward III. (1327).

† Parallels between the Constitution and Constitutional History of England and Hungary, p. 35.

states, that division must be made, that each might do for itself what concerns itself directly, and what it can so much better do than a distant authority. Every state, again, is divided into counties, each to take care of what lies within its local bounds; each county, again, into townships or wards, to manage minuter details; and every ward into farms, to be governed each by its individual proprietor. Were we directed from Washington when to sow and when to reap, we should soon want bread. It is by this partition of cares, descending in gradation from general to particular, that the mass of human affairs may be best managed for the good and prosperity of all.' The venerable statesman would have been more logically correct, had he described the process of government distribution in the ascending scale, from particular to general; for, as before remarked, Parliament or Congress is only a *result*, not the *source*, of power. It is, however, precisely on the principle of the supposed absurdity of central direction for seed-time, that modern liberal governments of England act. All popular power is fast disappearing under the baneful progress of bureaucratic centralization. Almost everything but our lives has, within the last few years, been handed over by our 'parliamentary representatives' to crown-appointed and irresponsible commissioners; and now it is gravely proposed that, after we have 'shuffled off this mortal coil,' our bodies are to be disposed of after the same fashion. Against this dangerous policy of encroachment on our liberties, the energies of every freeman should be aroused. It is lamentable to think that the loudest professing liberals are the most active supporters and instruments of the system. Witness the recent attempts to substitute summary jurisdiction and the whip for trial by jury; and the declaration in the House of Commons, by an eminent liberal member, that education is only a matter of government police! It only requires a self-helping effort to render these self-governmental institutions again practical verities. Revive the regular periodical meetings of the ancient *shiremotes*, and, if desirable, the subsidiary institution of the hundredmote, with the corresponding folk-motes of the cities and boroughs, which any number of freeholders and citizen occupiers may do by a little independence and exertion. All that remains to call into sound and active existence an electoral body as extended as any of the 'charters,' great or small, propose to do, is to repeal that oligarchical statute of 7 Henry VI. c. 7, which first imposed, as a statutory restriction, what Mr. Cobden and other reformers are fond, though most erroneously, of asserting to be a common-law franchise, namely, the forty-shilling freehold, as the test of electoral right. Much would require to be done in the way of statutory removal, in order to restore to

the commonalty their ancient constitutional right to impose and collect all local taxation, and to administer the law by officers duly and lawfully appointed by the commonalty of the shire or town; but, in as far as concerns placing the parliamentary electoral franchise on a solid basis, no course of policy has higher claims on the serious attention of reformers, either as respects soundness of principle or facility of action. It has additional claim on the consideration of the leaders of the Liberal party at a time when Government has propounded one of its favourite empirical measures for local legislation by county boards—a measure utterly devoid of constitutional principle (we use this much-abused phrase as synonymous with legal right), and one only of that prolific crop of Whig centralizing schemes, decked out in the finery and false pretences with which bureaucratic despots in all times have seduced the people to sell their birthright. The ‘freehold land societies,’ under good guidance, and divested of the character of a mere party movement, are calculated to render valuable aid to the cause of constitutional renovation; but we are sorry to see symptoms of the centralizing spirit prevalent in this movement, in the desire to render the provincial societies not self-dependent in direction as in effort, but to look for guidance to the central authority of London. ‘Economy of management’ will in the end be found a poor return for the sacrifice of the healthy principle of self-dependence. But these questions are of too great extent and moment to be thus incidentally discussed, and we must return to our proper theme—the corporation of London, in relation to the preservation of its ancient rights and institutions, which it is the object of Mr. Hume’s bill to restore into full operation and efficiency.

The movement by the citizens of the important ward of Farringdon Without (comprising about one-fourth of the population of London) is a very interesting and useful one in precept and good example, the only tolerable kind of centralization in a free country. But before we refer to it, it will be convenient to cite a few historical facts in support of the declaration of rights contained in this bill. We are indebted to Mr. Toulmin Smith for an admirable statement of the law and constitutional history bearing on the question, in the pamphlet named in the title. The extensive research into the sources of our legal and historical learning, the critical acumen, earnest truth-seeking, and large views of political philosophy which he has displayed in his various works on the ignored principles of our constitution, are all employed in the assertion and proof of the legal rights of the citizens of London. The men of Farringdon are not only indebted to him for direction and counsel, and actual leadership in the constitutional course they have had the wisdom

to adopt on this occasion, but for this model bill, which would have done no discredit to the framers of the Petition of Right, albeit the great Coke was probably chief penman of that memorable document.

Mr. Toulmin Smith, in the course of his argument, establishes six points:—That,

1. The only constitutional test of citizenship (i.e., *co-extensive rights and obligations*) within the city of London, is a *bonâ fide* interest in the well-being of the city, following from occupancy therein.

2. The presumption of law is, and has always been, that all occupiers are Free Men, and, therefore, full citizens.

3. Even a proved serf-born, if he resided for a year and a day within any city, became, by the general law of England, thereby a Free Man; and therefore entitled to all the rights and privileges, and liable to all the obligations, of a *Free Man born*.

4. This noble privilege was always largely availed of within the city of London: hence there were always many *freed-men* among her free men and citizens.

5. Any exclusive class of 'freemen' within the city of London was unheard of till a comparatively late period; and the existence of such a class, as composing the corporation, is unrecognised by, and in direct violation of, every charter, record, and statute.

6. Wards and wardmotes are the constitutional and most effective mode of keeping the roll of citizens perfect, and of keeping the citizens themselves in continual active discharge of their rights and duties as free men.

The corporation of London, in common with the Commonwealth of England, has suffered from the want of knowledge—(we should be dubbed impertinent if we said ignorance) on the part of those 'popular authorities' from whom the commonalty of readers seek constitutional enlightenment. The profound commentators and essayists who would have us believe that the English constitution came in with the Conqueror, have their counterparts in the learned civic historians, who date the origin of the corporation from the charters of that monarch. It would be as absurd to say, as some have said, and as thousands believe, that freedom was granted to his subjects by John, when he affixed his name to *Magna Charta*, as that his valorous predecessor gave corporate rights to London. Neither of these monarchs granted rights which they had legally the power to bestow. The so-called 'grants' were only confirmations, in the common form of such instruments, of pre-existing rights, which one monarch made through policy or the force of circumstances—the other through necessity and the superior strength of his

subjects. It is always an unpopular course to adduce remote history in support of modern policy, because few are prepared to enter into the argument. ‘Omne ignotum pro mirifico’ is only a Tory truth; scepticism is the rule on the other side. In referring to the times antecedent to the conquest of the English throne by William the Norman, neglected by all but a few patient antiquaries and truth-seekers, as the true period in which to seek the fundamental principles of our freedom, we have to meet, on the one hand, the conjoint oligarchism of the genuine old Tory, who admires antiquity for its *rust*, and of the Whig, whose first article of faith is, that liberty was born with Whiggery; on the other, the excessive haste of unsparing Radicalism, which ignores all that is ancient, good and bad together, asserts that the English constitution is a mere fiction, and that all attempts to prove its reality from our fundamental laws are sheer antiquarian pedantry, unworthy of attention in an age of ‘enlightenment and progress.’ We have dwelt on the importance of this period, because we believe that the institutions shaped by Alfred the Great, from the ruder elements of self-government, which had then endured for ages, are based on, and embody, the soundest principles of civil policy, which, if thoroughly comprehended and adapted to the more artificial wants of our times, would place rich and poor in more harmonious relation to each other, and by teaching all classes of men that human rights are only co-ordinate and co-existent with duties, evoke the better parts and sympathies of humanity. We speak not now of the direct antagonism of these institutions to that baneful policy of centralization under which mediæval liberty fell.

Our wise forefathers stoutly resisted the attempts of the civilians to supplant their cherished common law, and England has stood indebted to them for liberty preserved. Shall we, while long-slumbering nations have arisen to shake off the incubus of oppression, quietly submit to the centralizing encroachments which our rulers have made, and are yearly making with increased rapidity and extent, on our rights and privileges? There are two courses—either to carry out to the fullest extent our local institutions of self-government, and, by a re-arrangement, to render them consistent with fundamental principles, and to develop them to the requirements of the times, or tamely submit to the yoke of despotism, under the mockery of a parliament, which, without a scruple, hands over its delegated power to irresponsible Crown-appointed commissions. The time has now come when we must either make a bold stand, or succumb ignobly. It will be well for freemen, who would live free, to bear in mind, that, as in our language, so in our institutions, the sinews and strength were given by our Saxon forefathers.

The charters of the Conqueror are *prima facie* evidence of an antecedent existence of corporate rights in the city of London, inasmuch as they confirm the laws enjoyed in the reign of Edward the Confessor; but we have written proofs existing of a much earlier date. In the laws of the time of Æthelstan, a very remarkable passage occurs, which has been thus literally translated by Mr. Toulmin Smith:—‘That we gather together to us always once every month, if we can and have free time, the hundred men and those who look to the tythings, . . . and know what of our ordinance has been done.’* The citizens are frequently mentioned in the Saxon Chronicle,† as the burh-waru of London, or Lunden-burh; thus, ‘all the witan who were in London, and the burh-waru, chose Eadmund King.’ Charters of the Confessor, addressed to the portreeve and all the burh-ware of London, clearly prove the corporate character of the city in those days. But these points are more interesting as historical illustrations than useful, so far as our present purpose is concerned; for our aim is to point out, by a few leading facts, the popular character of citizenship which prevailed in ancient times.

In none of the charters or laws which we may have occasion to cite will one clause be found to justify the very modern notion of any exclusive body of so called ‘freemen;’ on the contrary, they all point to the same clear fact, that *the whole commonalty* of the city composed the corporation. The charters to the city of London, about one hundred in number, are either addressed to the ‘citizens,’ to the ‘commonalty,’ or to the ‘mayor, commonalty, and citizens.’ The whole citizens, i.e. the commonalty, constituted the corpus of the corporation. ‘In London,’ says Lord Coke, making a comparison with the institutions of local self-government throughout the country, ‘the parishes are as towns [i.e. vills or tythings], and the wards are as hundreds.’‡ And Sir Henry Spelman, speaking of the general system, but which is equally applicable to the case of London, shows that frequent and regular meetings of each were anciently enjoined, with the special end not only of getting justice and of dealing it, but of ‘*understanding* what things have regard to peace, and to the public welfare.’ This it will be observed is a remarkable feature in our ancient despised institutions; the English constitution everywhere makes complete provision for the political education of the people, to enable them healthily to form their opinions, and to express their opinions. Free dis-

* Ancient Laws and Institutes of England, vol. i. p. 236.

† In addition to which, Mr. Smith cites Florence of Worcester, Henry of Huntingdon, William of Malmesbury, &c.

‡ 4 Institute, 249.

cussion was the end proposed, unlike our degenerate system of public meetings, with their ‘foregone conclusions,’ pre-arranged results, and systematic prohibition of all opposition to the oratory and oracleism of the magnates of the platform. A curious passage cited by Mr. Toulmin Smith, from laws of the time of Æthelstan, is worth quotation, in illustration of the antiquity of the civic division mentioned by Coke. The law provides:—

‘ That we tell always ten men together; and the eldest (elder-man, chief), look to the nine as to all those proceedings which *we have all ordained*; and afterwards (tell) their hundreds together, and one hundredman (as chief), who shall remind the ten as to the common need of us all. And these eleven shall hold the money of the hundred; and judge what they shall spend when any one shall be to pay, and what they, again, shall take if any arise to us at our common claim, &c.’

A work in the archives of the corporation, entitled ‘Liber de Antiquis Legibus,’ abounds not only with remarkable proofs in point, but with valuable historical illustrations. The commonalty, in folkmote assembled, there appears as the only authority recognised or allowed as the mouth-piece of the corporation. In 1248, Henry III. being anxious to obtain a certain grant of land to the Abbot of Westminster, invited the mayor and certain citizens to Westminster, and pressed them on the subject, but they replied that they could not do as desired without the assent of the whole community. The king renewed the attempt in the following year, but the whole commonalty being opposed to it, his majesty was compelled to abandon the design. Several instances are mentioned in the same record of the king coming into London to ask leave from the commonalty to go abroad. In 1258, ‘the king came to Paul’s Cross, the innumerable people of the city being gathered together in folkmote, and there took leave (cepit licentiam) from the people (a populo), to go over sea.’ Again, in 1260, ‘the king, on the Sunday after the feast of Peter and Paul, took leave at Paul’s Cross to go over sea into France, from the citizens of London.’

It is in this century that we find the first trace of a court of aldermen. In 1200, twenty-five men were first elected and sworn, to help the mayor of the city in the discharge of his functions. Like the old hundredmen, they were thus elective from the beginning. Our satirists, who so frequently talk of the ‘aldermanization of justice,’ cannot in this instance make merry with the wisdom of their ancestors. In 1229 it was ordained, ‘by the assent of the whole citizens’ (per assensum universorum civium), that no sheriff should remain in office more than a year; and in 1244 the mayor was charged with perjury for

attempting to admit a sheriff two years together; while in 1270 the citizens asserted and exercised their right to turn out any sheriff who misbehaved himself, and to choose another.

In the reign of Edward III. we have a striking proof of Mr. Toulmin Smith's third proposition. It is necessary to premise that, by a declaratory law of William I., it was expressly stated that, if 'serfs shall have remained without complaint for a year and a day in our cities, or in walled towns, or in our castles, let them be fulfilled as free (*liberi efficiantur*); and free from the yoke of their bondage let them be for ever.'* If the lord of a serf answered his serf in a court of law, it was reckoned, by 'that noble common law which always favours liberty,' as an admission of the freedom of the other party. In 1373 certain seigneurs and commons of the land petitioned Parliament, representing that, whereas many villains of the land go often to London, and there bring writs of debt and other contracts against their lords in the city of London, as being free, with evil intent, which city has no cognizance of villainage, they pray that villainage shall be tried in the shire where the villainage is alleged.' To which Parliament made this reply: 'For the divers perils and mischiefs which would happen in this case, the king and his seigneurs do not wish at this time to change the common law as used heretofore.'† The writer of the ancient record above cited, who seems to have been as exclusive in his feelings as any modern alderman conservative of abuses, speaks frequently in a querulous tone of the presence of men servile-born at the folkmote—invaluable testimony, certainly, in favour of the liberality and enlightenment of our citizen fore-fathers.

One or two other illustrations of the democratic character of the corporation in ancient times. The statute 5 Edw. II. (1311) says, 'Anciently it was provided, for the profit of the city and realm, and to preserve the peace of the king, that every alderman should hold four principal wardmotes in the year, to which should come all those who resided in the ward, of the age of fifteen years and upwards, and there be put in frankpledge,' &c.; and two centuries and a half later we find, in the 1 and 2 Phil. and Mary, a provision of a like nature.

Only one passage has been adduced in favour of an exclusive freemanship. In a report by the Traders' Freedom Committee, presented to the Court of Common Council on the 4th of July, 1844, a passage is cited from the statute of Gavelet [10 Edw. II.], in which the words '*freemen* of the city of London' occur. Mr.

* Ancient Laws and Institutes, vol. i. p. 494.

† Rot. Par., 47 Edward III., No. 27.

Toulmin Smith, with his usual desire for truth, has gone to the original, and found a mistranslation. The word translated ‘freemen’ has an entirely different meaning and reference, pointing expressly and only to certain officers called ‘soke-reeves,’ who represented the interests of certain lords, and other owners of property within the city.

We take another leap of 128 years, from Philip and Mary to Charles II.; and in the famous, or infamous, proceedings of the *Quo Warranto* of 1682 we find proof equally valuable and conclusive. It was granted in the pleadings in that case, that the mayor, commonalty, and citizens—that is, the corporation—consisted of about 50,000 men; and the learned recorder, Sir George Treby, the mouthpiece of the corporation, declared that the ‘least citizen has as much and as true an interest in the corporation of the city of London as the greatest.’ When England happily freed herself from the tyranny and usurpations of the Stuarts, and when the 2 William and Mary, st. i. c. 8, was passed, to annul the illegal judgment on the *Quo Warranto*, the mayor, commonalty, and citizens, were expressly restored to their ancient rights and liberties.

The term ‘freeman,’ as an exclusive one, grew into use in reference to particular *trading* companies which existed within the city, but altogether independent, as companies, of the corporation, although all the members were, and are, as individuals, members of the body corporate.

In 1724, under the corrupt administration of George I., the most iniquitous inroad perhaps ever made on free institutions was perpetrated under the sanction of Parliament. The Act 11 George I. c. 18—a private act be it remembered—was obtained by force and fraud.

‘Only thirty-five years (says Mr. Toulmin Smith) after the statute of William and Mary had so expressly re-affirmed the actual constitution of the corporation, a few aldermen, regardless alike of their oaths, their duty, and their fair fame, sought treacherously to betray the interests they were appointed to protect; and by means of a corrupt ministry in Parliament, and the cannon’s mouth, and a strong military array at Guildhall, and by those means only, and in defiance of the common law of the land, and the law of Parliament itself, they succeeded. It is to be well noticed, however—what is, strangely enough, generally forgotten—that even this iniquitous act does not pretend to alter the constituent elements of *the corporation*. The corporation still consists, as ever, of the whole body of the citizens, without distinction, restriction, or exclusion. It was simply an arbitrary attempt to exclude a large part of the members of the corporation from the full share in its management, and so to make it the better means for selfish aggrandisement. And this is accomplished, as usual, in arbitrary and empirical

measures, in a way at once anomalous, inconsistent, and absurd. By the constitution of London, all the commonalty and citizens were the chosers of every functionary ; the only difference being, that those who are officers of the whole corporation, in its character as a unity, were chosen in folkmote in the Guildhall, while those who are officers of the separate wards were chosen in wardmote. This act, while losing sight altogether of the real constitutional franchise in each case alike, declares that, in the election of the former officers, only those shall vote who happen to be ‘freemen’ and ‘liverymen’ of some company ; while in the election of the latter, those only shall vote who happen to be ‘freemen’ and ‘householders’ to a given amount of rent. Each of these empirical and arbitrary tests is totally irrelevant to the only constitutional one of *bonâ fide occupancy*, and may or may not co-exist with that test ; while, with the exception of the being a householder, each one may, also, exist without the fact of occupancy at all !—Pp. 34, 35.

It almost passes belief that the citizens of London should have quietly submitted, for a century and a quarter, to the oligarchical usurpation of this nefarious ‘Alderman’s Act.’ But they fell in commercial times, when men were in too great haste to grow rich to be over-mindful of the rights and liberties of their poorer brethren of the commonalty.

Last year, however, the common council, moved by certain manifestations of impatience on the part of the commonalty, went to Parliament, and obtained a private measure, which they dignified with the name of a ‘Reform’ Act. Of that statute, perhaps, the least said the better ; it is ungenerous to speak harshly of the unfortunate. The 12 and 13 Victoria, c. 94, came into the world so misshapen and sickly, that the lawyers instantly went to loggerheads as to what it meant. It professes to be an enfranchising act, but on the *lucus a non lucendo* principle, and only adds confusion to the injustice of the Alderman’s Act :—

‘ Framed (says Mr. Toulmin Smith) in disregard of any principle, it also is, as all such acts must be, purely arbitrary and empirical. It is sufficient now to say that besides other anomalies, it adds to former restraints and restrictions the inherently vicious test of a *rate-paying* clause.’

And the learned gentleman adds this brief, but forcible argument on the point—a radical error, apparent in almost all the schemes of ‘reform’ fashionable at the present day, and made familiar to every one by the ear-catching fallacy of ‘taxation and representation :—

‘ The paying of any rates, or other scot, is *one of the obligations*

which attach to citizenship. It must, therefore, *follow* and not lead ; *rate-books* and *rate-paying* must clearly, under any sound system, be a *result*, and not the *foundation*, of the roll or register. In the time of Æthelstan, the wise provision was—not that those who paid should join in tens and hundreds, but—that all should be enrolled, and *being so enrolled*, it was the business of the functionaries to see that they discharged this among other obligations.'—P. 37.

The same reasoning applies against the imposition of fines on the admission of citizens to civic rights under any circumstances. As Mr. Toulmin Smith justly observes, in his excellent letter to Mr. Alderman Duke, it is 'a degradation and dishonour to it (as well as being unlawful), that while the Church of Rome has ceased for some centuries to sell ecclesiastical indulgences, this corporation should now condescend to traffic in civil indulgences.' But corporate sexagenarians, when hard pressed on the point, are wont to exclaim, 'We paid £50 for our freedom. Why should you grumble at £4 or £5?' Fifty pounds or fifty pence, the principle is the same ; the exaction is unlawful in either case. But in addition to the illegality and injustice of the imposition, there is also the iniquity of inequality in exaction. It is not long since a corporate crusade was made against the small retail traders, and legal proceedings were taken to force them to take up their freedom. The attempt we believe failed, and in practice the law now only operates against publicans, fellowship porters, and persons requiring licenses from the city magistrates to carry on their trades or callings within the city. No attempt, so far as we are aware, has ever been made to compel the rich bankers and merchants to pay for their freedom. Can it be that the great corporation of London dared only to exact toll from the weak ? Doubtless the legislature of England has been accessory to the iniquity ; for, as we learn from the official statement by the city solicitor, cited in the title, since 1814, a stamp duty of £3 on each freedom has been exacted under the Stamp Act, 55 Geo. III. c. 184. Mr. Hume's bill proposes to exempt both corporation and commonwealth from the disgrace of the transaction, by a return in the one case to the true principles of the civic constitution, and in the other by a repeal of the stamp duties.

A word as to the numbers of the constituency. While population has increased to the utter consternation of all Malthusians, the civic constituency of London has 'progressed backwards.' We know from the pleadings of Sir George Treby, that in 1683 it amounted to about 50,000. In 1849, as we learn from the official return presented to the common council, on the 22nd of November, it was just 6,682 ! The return, such as it is, is

curious in illustration of civic progression, and we subjoin an abstract:—

Abstract of Returns of the number of Householders, distinguishing Freemen and Non-Freemen, together with the numbers on the List of Voters made under the Act 12 and 13 Victoria.

WARDS.	No. of Householders in 1844.	No. of Householders in 1849.	Freemen in 1844.	Freemen in 1849.	Non-Freemen in 1844.	Non-Freemen in 1849.	No. on the Lists of Voters made under the Act 12 & 13 Victoria.
Aldersgate	740	706	258	284	483	422	174
Aldgate	678	750	302	250	376	500	222
Bassishaw	136	150	106	82	30	68	84
Billingsgate	245	267	199	214	46	53	182
Bishopsgate	1,297	1,300	654	518	643	782	460
Bread-street	355	383	200	174	155	205	132
Bridge	201	205	173	153	28	52	135
Broad-street	439	511	209	247	230	264	355
Candlewick	181	193	127	132	54	61	147
Castle-Baynard . . .	565	522	301	268	264	254	212
Cheap	354	289	161	166	193	123	166
Coleman-street . . .	520	500	292	284	223	296	233
Cordwainers	419	357	153	143	266	214	112
Cornhill	256	206	156	135	100	71	124
Cripplegate Within .	504	487	204	168	300	219	147
Cripplegate Without .	719	963	392	380	324	583	250
Dowgate	197	174	128	126	69	48	86
Farringdon Within .	866	913	1,440	407	426	506	450
Farringdon Without .	2,167	2,532	1,202	997	965	1,525	691
Langbourn	407	445	263	260	144	185	311
Lime-street	205	213	142	92	63	121	82
Portsoken	1,177	1,235	379	367	798	868	258
Queenhithe	177	229	117	103	60	126	74
Tower	683	1,103	483	499	200	192	727
Vintry	246	198	138	114	108	84	93
Walbrook	227	218	145	119	82	99	111
	13,958	15,119	7,324	6,682	6,634	8,025	6,018

In Tower Ward 412 persons refused to say whether they were free or not.

The accuracy of the return has been challenged, and doubtless, on their own showing in the note relative to Tower Ward, the corporation officers seem to admit that they do not know who are their freemen. One fact, however, has been deduced from the return, that the 'enfranchising' act of last session has deprived at least 1,168 'freemen householders' of their civic

franchise. Mr. Hume's bill proposes a simple and legitimate mode of ensuring accurate returns for the future, by requiring that the roll of citizens for each ward shall be adjusted at each quarterly wardmote.

We have left little space in which to speak of the origin and proceedings of the wardmotes in which this constitutional course of action was adopted ; but a few words will suffice. It originated in a meeting held at Anderton's Hotel, on the 27th of November last, to consider what steps should be adopted to extend 'the municipal franchise to all parliamentary electors.' Under the judicious counsel of Mr. Toulmin Smith, who pointed out the frailty of the fabric on which they proposed to take their stand, it was wisely resolved to assert their rights as free men, not by invoking the aid of Hercules, but by at once themselves setting their shoulders to the wheel. At various regular wardmotes held in the succeeding month, Mr. Toulmin Smith, by a series of clear and convincing expositions of the constitutional law, and facts, called forth a free discussion of the question, and declaratory resolutions, on which the bill was subsequently founded, were unanimously passed. It was at the same time resolved, that in order to understand and effectually to discharge their duties as members of the corporation, the occupiers within the ward should meet in wardmote at least once in every month. This, however, has been defeated by Mr. Alderman Duke, who, though he made no objection at the time the resolution was passed, has, nevertheless, failed to carry it out by summoning wardmotes for the 10th day of each month ; a course which we apprehend can neither be justified in law nor reason. The frequent and regular meetings of old were entirely and necessarily independent of any superior summoning authority ; the alderman, or other superior officer, being simply and properly required to give notice of each regular meeting, in order that the time and duty of attendance should not be forgotten. It is, we presume, to prevent any Aldermanic display of irresponsible authority for the future, that a clause redeclaring the ancient custom of quarterly wardmotes has been inserted in the bill.

The proceedings of these wardmotes were in all other respects most gratifying. Men who had been taught to scorn all that belonged to antiquity, seemed surprised to find a liberalism almost beyond their desires in the old beaten path of the ignored constitution. Only two objections seemed to be raised to the course of self-dependence and self-exertion pointed out. One of them has just been indicated. It was objected that these appeals to antiquity were beautiful exceedingly, but they were laid in dark and barbarous times. We, therefore, who live in an age of en-

lightenment and progress, should trust to our own guidance, and follow our own path. But like the profound dialectics of Martial, when he argued—

‘Non amo te, Sabidi ; nec possum dicere quare,
Hoc tantum possum dicere : non amo te,’

the objections were confined to generalities, and practically to silent dissent. A kind of dog in the manger objection was likewise raised. ‘I paid £50 for my freedom,’ said a ponderous Theban, the very oldest inhabitant of his precinct ; ‘why should you go scot free?’ This kind of artillery, however, is not very hurtful, except to the luckless gunner himself. The laugh was clearly against him. From the movement we augur the best results. It is well calculated to teach men their social duties as freemen—it will foster kindly habits by drawing them from the cold selfishness of mere material being, into the sunny ways of public duty ; above all, it is of vital importance to the right advance of all measures of progress and improvement, in showing the necessity of full and free discussion.

The introduction of the measure into the House of Commons has been temporarily delayed, through some doubt whether the bill comes within the class of a private or public measure. The parliamentary authorities seem to incline to the former supposition. On the other hand, Mr. Toulmin Smith has submitted an array of precedents, supported by legal reasoning, which appear incontrovertible. But be the bill private or public, it has our best wishes of success, not only for the well-being and well-doing of our fellow-citizens, whom we desire to see, rich and poor, recognised as all law-worth men of London ; but for the example and encouragement of all throughout the land, who would be true men and free men.

Since these remarks were written, we observe that a society has been formed for maintaining and extending local self-government in opposition to centralization. The society professes to take its stand on our historical constitution, not on any novel theories. It will be devoted to the exposition and maintenance of our old and fundamental institutions, in contradistinction to the stealthy legislation of individual speculations, and to that sweeping experimental legislation to which there is now so great a disposition. The means it proposes to employ are, first, the furnishing a point of union for those against whose functions of local self-government, or rights of private enterprise, any encroachment shall be attempted ; and secondly, the taking active steps to make the unconstitutional character of any special

measures known, and thus to hinder their passing ; and further, to make the general principles of English constitutional self-government well and widely understood through the press, as the most effective means of making their value and practical importance felt.

ART. II.—*Narrative of Scenes and Events in Italy, from 1847 to 1849, including the Siege of Venice.* By Lieutenant-General Pepe, Commander-in-Chief of the Army of Expedition of Naples, and of the Forces of the Venetian Republic. Translated from the unpublished Italian Manuscript. In Two Volumes. London : Colburn. 1850.

NOTHING in the history of the late struggles for liberty on the Continent has more deeply excited the sympathy of good and generous men throughout Europe, than the plunging back of Italy into servitude. One of the characters in an old play exclaims, ‘Virtue is never wounded but I suffer ;’ and there is not a noble-minded man throughout Christendom who would not repeat the sentiment in the case of the Italian Peninsula. That early seat of Christianity and the arts must always be viewed with interest by all who desire the prosperity of the one or the other ; and at this moment we are more than ever called upon to commiserate its calamitous and degraded condition.

Our readers will remember that we have more than once gone over those considerations which should induce the civilized portion of the world to extend at least its moral support to Italy. The appearance of General Pepe’s Narrative affords us an opportunity of making some few remarks on several points which we had not dwelt on before, and particularly on the prospects of Protestantism in that country.

We trust we shall not be accused of bigotry, when we state it to be our belief that unadulterated Romanism is not to be reconciled with political freedom. Such at least is the conviction of many Italian patriots, as well as of numbers of thinking men in France and England ; and during the existence of the Roman republic, many efforts based on this persuasion were made to naturalize the tenets of the Reformed Churches on the banks of the Tiber. Protestant Bibles were printed, and largely distributed among the people ; and it is now generally thought that, had the democratic form of civil polity been able to

maintain itself during any considerable length of time, the return of the Pope in his spiritual character would have been impossible. As it is, the axe has been laid to the root of the tree, which, at no distant day, will unquestionably fall, and cumber the Italian soil with its ruins.

Other views are now beginning to be opened up into the internal structure of Italian society: not so much, perhaps, by books, as by those casual revelations made by individuals who cannot, or dare not, write. Sufficient, however, is known to convince all impartial men that the despotism of the Austrians, the Pope, and the King of Naples, is borne with the utmost impatience from the Alps to the southern extremity of Sicily; and that one vast and tremendous rising, too simultaneous and enthusiastic to be suppressed by external interference, will soon take place, and deliver the mixed descendants of the Romans and the Goths from pontifical and imperial slavery.

At the same time we confess, not without pain, that the people even of this country have not taken an interest so deep as might have been expected in the troubled fortunes of Italy. We proceed thither, we gaze upon her as upon a syren, we confess ourselves to be smitten by her beauty, we revel in the softness and brightness of her skies, we feel all the witchery of her literature, we enter into the most friendly and familiar relations with her people, we are disgusted with the insolence of the rude barbarians who trample on her classic soil; and yet, when the critical moment arrives, when, by a single bold act, we might ensure her independence, we suffer ourselves to be cheated by the maxims of a false prudence, and stand tamely aloof, while a savage and inhuman enemy perpetrates the worst of crimes against her children. It is with extreme regret that we couple the French with the Austrians, while denouncing these excesses of barbarism; but we must be careful not to be betrayed by our zeal into the perpetration of injustice. The French people were certainly not accountable for the expedition against Rome, undertaken at the instigation of the priesthood, by their weak and profligate government. From one end of France to the other, every friend of liberty denounced the undertaking, which was as much aimed at the republic at home as at the kindred government of the Eternal City. For this reason we omit to dwell on the painful topic; though, as the dishonour belongs not to the nation, but to those few individuals who happened at the moment to possess the lead in public affairs, we should run no risk of wounding, by the severity of our observations, the susceptibilities of a brave and liberal people.

General Pepe, the author of the work before us, is one of those earnest and honest individuals who have been compelled,

by the tyranny of the Italian governments, to spend the greater part of their lives in exile. Without home, kindred, or friends, but such as they are able to make for themselves, by the exercise of agreeable manners or useful accomplishments, they have wandered over half Europe—inspiring everywhere a respect for the Italian character, and giving birth to warm wishes for the emancipation of their country. General Pepe has lived much in England, where he is greatly respected ; but on the breaking out of the insurrection in Naples he happened to be in Paris, where he eagerly awaited a recall to his country. But Ferdinand is a man of strong hatred. Forced by the popular party to grant an amnesty to numbers of exiles, he still excepted General Pepe ; and it was not until the democratic party obtained an overwhelming, though temporary, influence, that he consented to include his name in the list of those who were to be permitted to revisit their homes.

The policy of this cruel and vindictive despot has been seldom tempered by a single touch of humanity. For upwards of fifteen years, more than four thousand men, members of the secret society of Carbonari, languished in dungeons, dispersed over the kingdom of the Two Sicilies. As far as regarded all intercourse with the external world, they were already dead. Never permitted to see their wives or children, or parents or friends, or even to communicate with them by letter, they were really blotted out from the map of active existences ; and would probably have been extinguished in prison, but that they would then have escaped from the power of their tormentors. An English gentleman, sailing through the Lipari Islands, felt himself oppressed by melancholy, as he moored his skiff under the castle of the little capital, where, as he was informed, a number of these unfortunates wasted away their lives in hopeless captivity. Their dungeons were below the level of the sea ; and the sound of those waves, which appeared so cheerful and inspiring to him, tolled in their ears like the perpetual knell of death.

The author of these volumes does not spare the King of Naples, though he is far from doing justice to the atrocity of his character. He proves, however, beyond dispute, what was all along suspected throughout Europe, that while he ostensibly sent an army to co-operate with the forces on the Po for the liberation of Italy, he issued secret orders in contradiction of those he had given in public. Thus keeping the word of promise to the ear, but breaking it to the hope. As this is, perhaps, the most curious passage in the work, we will lay it before our readers, merely premising that the chain of circumstances, of which it forms a part, must be supposed to be known to him.

General Pepe, at the head of a powerful body of troops, was on his march to join Durando beyond the Po. Full of hope that, after his twenty-seven years of exile, he should be able at length to perform important services for Italy, he pushed vigorously forward, and had already arrived at Bologna, when he was unexpectedly arrested on his march in the following manner:—

'While I was dying,' he says, 'with impatience to cross the Po, and fancied that I held the liberty of the Peninsula in my hand, an incident as unexpected as it was fatal took place.'

'When I awoke, on the morning of the 22nd May, Lieutenant-General Statella and Brigadier Scala were introduced, the latter arriving from Naples, with a letter and information of great importance. A copy of this letter, which announced the new and terrible misfortunes of all Italy, here follows:—

'"Excellency,

'"Naples, May 18th.

'"The serious disturbances which took place in the capital on the 15th instant, as well as in some of the provinces, and which are threatened in others, impose on the government the duty of recalling, as soon as possible, the troops which are on their march for Upper Italy.'

'"In consequence of this, your Excellency will make arrangements, that part of the infantry may embark at Rimini, to be disembarked at Manfredonia, while the remaining divisions, including the cavalry, artillery, and ambulance, shall fall back on Ancona, from whence the artillery and cavalry shall, in the first place, be ordered to proceed, and when they are nearly arrived in the kingdom, the remaining divisions of infantry shall be embarked and landed at Pescara. This being executed, the squadron shall proceed to Naples.'

'"These movements must be varied and combined according to circumstances and the position of the troops and the country.'

'"For the 10th of the line, which is now at Gorto, near Casalmaggiore, your Excellency will direct that it may, by the Modena road, join on to the troops in the Bolognese territory, and follow the same movement.'

'"The Neapolitan volunteers may, if they desire it, continue their march, and join Durando's troops.'

'"Your Excellency will be pleased, without retarding the movement of the troops, to communicate the present orders at the head quarters of H. M. C. Charles Albert.'

'"In fine, I am to add, in the name of the royal Government, that if your Excellency does not think proper to take the command of the troops in their retreat, it should be assumed by Lieutenant-General Statella.'

'"The Minister-Secretary of State for War and Marine,

'"Prince of Ischeletta."

—Vol. i. p. 167.

The state of mind produced in the general by this order, it

would be difficult to conceive. His first and most natural resolution was to disobey the king's orders :—

'The two generals,' he says, 'could not conceal their joy on the receipt of this letter. I told them to return to me at mid-day. I sent to beg Count Pepole to come to me quickly; he is a Bolognese, but had been absent from that city sixteen years; I told him that I commanded troops, who, in consequence of my seven years of exile, now saw me for the first time; and that the soldiers, superior officers, generals, all were devoted to the king—that notwithstanding I should have attempted to oppose the royal orders if the population of Bologna had supported me in arms—and, above all, the National Guard. Pepole, and other Liberals, told me not to count entirely on the population against regular troops, who might arrest and conduct me out of the town. Rather than expose, not only myself, but the Bolognese, to a fratricidal war, and to a political scandal, which would have rejoiced the Austrians beyond measure, I decided on offering myself to Charles Albert as a simple volunteer on his staff, and, with a heart oppressed with anguish, with sufferings more acute than if my last moment of life had arrived, I gave Lieutenant-General Statella orders to take the command of the brigade, and follow the directions of the Government. Without losing a moment, Statella expedited couriers in every direction to the chiefs of the different corps, to commence the retrograde march; and, thinking to be agreeable to me, they said, that as I proposed to go on, they offered to give orders to the paymaster to give me whatever sum I might require. I smiled at such an offer, and thanked them.'

'In the mean time, the news of the orders from Naples spread along the Italian shore, and it was said that my life was in great peril. When a multitude of officers came running to defend me, I asked them if they would also have assisted me in preventing the troops from returning, which not only diminished the numbers of the defenders of Italy, but sent fresh aid to despotism in Naples against the Liberals, who had risen in favour of Neapolitan liberty.'

'The brave among the National Guards put their hands on their swords, saying, "This is for you, Italian General!" And I, grasping my own sword, added, "This is for Italy as long as I live."'*Ib.* p. 171.

Into the events which followed it is unnecessary to enter; but if the reader desire to understand the chain of circumstances which brought about the second prostration of Italy, he should go carefully through General Pepe's two volumes. They are full of instruction, and written in a spirited manner, which keeps awake the reader's curiosity. The time, we suppose, however, is not yet come for entering into full details respecting the movements which preceded the open outbreak in Lombardy. Neither can it be said that the seal of historic truth has yet been put upon all the details of Austrian cruelty and oppression.

We are fully convinced of the justness and necessity of Italian independence, and entertain no doubt in our own minds that the

rule of Austria beyond the Alps has been stained with infamy and blood. But even the enormities of despotism may be exaggerated, and, therefore, we experience some reluctance to accept, literally, all the particulars related by General Pepe, or those who have aided him in compiling the present volumes, especially as they do not, in such cases, speak on their personal knowledge, but depend upon the reports supplied them by others. Still, very much of what seems at first incredible, might probably be substantiated by good evidence. We have heard stories related by two ladies who happened to be in Milan on the return of the Austrian army, which certainly would do no discredit to a horde of cannibals. What is said to have happened at Brescia is exactly in keeping with these details, and supposing they should be overdrawn, enough will still remain to prompt the people of Italy, when the day of retribution arrives, to inflict signal vengeance on their oppressors.

It is very far from our wish to apologize for any excesses into which the Italians may themselves have fallen. In most popular outbreaks, the masses are intoxicated with passion before they take up arms. Nothing short of temporary madness could ever induce a populace undisciplined and imperfectly armed, to hazard a protracted and sanguinary conflict with regular troops. Yet, in most parts of Europe, the humbler classes, trusting entirely to their enthusiasm, and unconquerable consciousness of right, boldly opposed the finest troops in the world, and in many cases overcame them. Indeed, when a people is resolved to recover its liberty, it is impossible by any exertion of material force to keep it in subjection.

We would illustrate this position by referring to what took place at Brescia, the details of which are with tolerable completeness given in the volumes of General Pepe. Our limits will not permit us to go at length into the subject, but we shall extract a few passages, which, while they show by what spirit the Italians were in this case animated, will likewise afford some idea of the fearful obstacles and difficulties with which they had to contend.

After the treachery of Carlo Alberto, of which General Pepe offers an explanation, the Brescians were far from abandoning all hope in the fortune of Italy. They determined to make one last effort to resist the power of Austria, and though the fortress of their city was in the hands of the enemy, and a formidable army approaching from without, erected the standard of revolt.

' On the 14th of March, the news reached Brescia that the amnesty between Austria and Piedmont was broken. On the 20th, that hostilities were commenced, and 100,000 Italian soldiers ready to take the field. On the 19th the struggle had already begun. Mountain bands, guided by the valiant Caralo di Serle, came and stationed themselves

on the suburban hills, and from thence attacked the trains and defences of the Austrian army. On the 20th, the people assembled in crowds, demanding that the advocate Saleri, an excellent citizen, should be proclaimed (as he afterwards was) chief of the municipality, instead of Zambelle, who was leagued with the Austrians. On the same day, a quantity of flour was sent into the city by the insurrectionary committee, with instructions from General Chernowski, with a plan of the Lombard insurrection, and with directions to commence the movement on the 21st of March. The city of Brescia was the most suitable centre for the Lombard insurrection, and the inhabitants held themselves prepared.'—Vol. ii. p. 70.

One of those examples of insolent oppression, by which the Austrian rule in Italy has been rendered infamous, now inflamed the minds of the Brescians, and urged them into insurrection. Among the Germans, there is no passion so strong as the love of money, to obtain which they will hazard their political supremacy, or submit to any form of despotism. They now demanded from the citizens of this unhappy city the sum of 130,000 lire, which was to be regarded not so much in the light of a war contribution, as of a premeditated insult.

'The populace assembled on the Piazza, and hearing of this demand, began to exclaim, that lead, and not gold, should be sent to their oppressors. This commenced the popular movement. Several cart loads of provisions and wood, which were stationed at the castle, were seized; the soldiers and gendarmes were put to flight: every Austrian ensign was torn down, and cries of "Viva l'Italia!" "Death to the barbarians!" were alone heard. While this first movement was in progress, the commandant of the Piazza, and the chief of the commissariat reached the municipality, to take the sum demanded; but the people arrived, and invading the municipal saloon, made them both prisoners. They were with difficulty saved from the popular fury.

'The commandant of the Piazza, now in the hands of the people, was compelled to give his soldiers orders to surrender their guns to the National Guard. Some only obeyed; but at this moment advice arrived that a large supply of ammunition and arms was on the road from Iseo, and that the column of emigrants was moving towards Bergamo; in fine, it was said that the war was begun, and that the Piedmontese divisions had entered Lombardy *via* Alagenta. Inflamed by these hopes, the people unanimously cried "To arms."

'The castle of Brescia, recently restored, and put in a state of defence by Radetzki, was armed with fourteen large guns, and contained about nine hundred men, under the command of Captain Leshka. The Germans required prompt submission; but the people were not subdued. In the middle of the night, Leshke began to bombard the city. In the midst of this fiery tempest, the people ran boldly to arms; some extinguished the fires, some cleared the streets. The women and children repaired to the belfries and rang a peal. Already bands of deserters came down to clear the streets and erect barricades.

' This nocturnal battle was almost like a festival long desired and promised ; so great was the popular fury, and faith in their country's deliverance. On the following day, the 24th, Leshka found means to send some gendarmes out of the castle, two of whom went to Mantua to demand succour. In the meantime, the Brescians, wishing to increase and fortify the insurrection, chose for their chiefs the citizens Contratto and Cassola, men of rare devotion to the Italian cause. These made the best possible arrangements both for the defence and the attack. The 150,000 lire, which the city had collected to satisfy Haynau's extortion, were devoted to sustain the contest.

' This day was passed between fear and hope, in anxious expectation of the succours from Ticino. The Imperialists were also impatiently waiting for news from the camp ; and on that day intelligence of the events of Mantua and of the first flight of the Piedmontese reached the city.'—*Ib.* p. 73.

Though it thus appeared that Fortune was once more turning her back upon Italy, the people of Brescia determined, let what would happen, to show their countrymen what a small but resolute band of Italians could perform and endure. They were not ignorant of the force or disposition of Austria, and foresaw distinctly to what a state of misery and humiliation they would be reduced by defeat. But their blood was up, and with a simplicity of courage, which reminds us of the early days of the Roman republic, they seemed to covet death in the cause of their country.

' A little before mid-day the Austrians opened their fire. They were most numerous on the left of the Brescians, whose courage in this first encounter was almost miraculous. Their numbers were few, and they were unused to arms ; but they repulsed the Croats, and would have pursued them with the bayonet, if Speri, a brave and intelligent youth, who commanded this handful of heroes, had not stopped them. The Italians both fight and die gaily. An Austrian falls first, striking a man named Ribaldo on the breast. He expired, exclaiming, " Happy that I am ! I have the honour of dying first on the field of battle !" and he recommended the captain not to forget to enter his name first. " And mine second," said another, struck by a ball in the stomach. The third refused the assistance of his comrades, saying, " My loss is enough, without making a fourth leave his post !" The Brescian Rifles disdained to fight from behind trees or hedges, saying, that this was not the Brescian mode of combat. The bravery of these men, scarcely more than a hundred in number, was prodigious. They stood firm for three hours against Nugent's battalions. The committee of defence ordered them to retire in good order, still keeping the enemy in check.'—*Ib.* p. 74.

When the city fell ultimately into the hands of the enemy, cruelties the most revolting are said to have been perpetrated. Many of the revelations made by history inspire us with shame

and humiliation for the barbarism and brutality of our species. The imagination can scarcely conceive anything more demoniacal than the atrocities commonly committed on the sacking of a city. The reader afterwards in cold blood takes shelter in his own incredulity, and refuses to put faith in the narratives laid before him. It would be a relief to suppose many of them false. But testimonies which we cannot deny to be authentic, compel us, whether willingly or unwillingly, to admit that men in certain states of excitement are capable of any wickedness conceivable by the mind. Nothing can be more hideous than the excesses committed by governments in the suppression of popular tumults, or in the punishment of what is called treason. The inventions of Dante's 'Hell' are often outdone by what takes place on earth; and if reliance can be placed in the following paragraph, which General Pepe believes to be strictly true, it must, we think, be admitted that some of the most frightful pictures in the 'Inferno' are tame in comparison:—

'The sight of the horrible deeds committed by the Imperialists, whether in drunkenness or by command, or in consequence of their stupidly ferocious natures, was such as to overwhelm the mind and freeze the blood in men's veins—they were beyond the limits of imagination or belief. Not only were they ferocious towards women, children, and the sick, but the tortures they inflicted were refined in such a manner as to show how much the cruelty of man exceeds that of the most ferocious animals. Limbs torn from their victims were flung from the windows and the barricades as food for the dogs. The heads of young children, cut from their bodies, women's arms, and fragments of human flesh, were thrown into the midst of the Brescian troops, to whom bombs then seemed merciful. Above all, the Imperial cannibals delighted in the horrible convulsions of those whom they burnt to death. Therefore they covered the prisoners with pitch, then set them on fire, and often compelled the women to assist at their husband's martyrdom. Sometimes, to make game of the noble blood of the Brescians, which boiled with magnanimous wrath, they tightly bound the men, and then, before their eyes, they dishonoured and cut the throats of their wives and children; and sometimes (God forgive us if we remember such a horrid fact) they forced them to swallow the mangled entrails of their nearest friends. Many died of anguish, and many fell fainting with horror.'—*Ib.* p. 90.

We next turn to Venice, the part played by which in the late revolt was, perhaps, the most remarkable in the whole tragedy. In Brescia, the horrors and the bloodshed were more concentrated, and the crimes more terrific. But Venice, from its position more perhaps than from any other cause, held out longer against the common enemy, and excited a more extraordinary series of fears and hopes; her flag promising one day to be triumphant, while in the next, perhaps, it flapped and flut-

tered in the dust. General Pepe had entered and obtained employment in this capital of the Lagoons ; but whether the fault rested with himself, or was common to him with the leaders of the government, we discover with pain that there existed considerable dissatisfaction among them. Pepe had his old, and, perhaps, obsolete notions of strategy and tactics, and the Venetian leaders, who, with less of military skill, possessed a larger share of the revolutionary impetuosity, were swayed by the convictions of the new school, which lays more stress on enthusiasm than on discipline.

From the beginning, however, it was evident to all Europe, that Venice, unless it received assistance from without, or was favoured by the bursting forth of insurrections in the empire, which would compel Austria to recall her armies, must inevitably fall at last. Excepting position, she possessed none of the qualifications for a long struggle ; her population was unused to arms, and wanted all experience in revolutions. Even political instruction was possessed by few ; and fewer still had that knowledge which enables men of rare genius to diffuse their hopes and audacity among thousands. But looking rather to the future than to the present, we must regard it as an advantage, that Venice withstood the attacks of Austria so long as it did, because, when Italy comes hereafter to make her final struggle for liberty, the proper system of operations may be suggested by the policy of the Venetians. In the tactics of insurrection, it ought to be a rule, especially in Italy, to kindle as many fires as possible at once, that the enemy may be distracted, and divide its forces, and find it impracticable to bring large bodies to bear at once upon any particular point.

The Venetian provisional government, deceived, perhaps, by the expression of popular feeling and sympathy in the press, looked for aid from Great Britain and France, which, by the old traditional policy of Europe, were prevented from affording it. When nations rise for their independence, they must never lose sight of this sacred maxim :—

‘ In native swords and native ranks,
The only hope of freedom dwells.’

It is a foolish belief that the Italians are incapable of fighting ; what they want is not the instinct of pugnacity, but that courage which is based on knowledge and discipline, and the habit of victory. It requires some time to convince them that, hand to hand, they are able to beat the Germans in the field, a discovery which the brave people of Brescia would seem to have made with incredulous rapture. The popular opinion, that the flames of Southern nations melt away like snow before the fiery valour of

the North, requires to be extirpated from the Italian mind ere the Peninsula can be emancipated.

It would greatly facilitate the process to remember, that in all her late struggles, Austria has depended not on the native swords of Germany, but on barbarians from the frontier provinces, Croats or Sclavonians, or on the eleemosynary aid of Russia. Against Venice, she put in practice the base or ridiculous tactics of Metternich—moral corruption and balloons, which are thus described by General Pepe :—

'They sent a lady belonging to a noble family of Lombardy to Venice, with the ostensible charge of persuading the members of the government, that the impossibility in which they were placed, of continuing a long resistance, was such, that a speedy surrender would be most advisable. But the lady had also a secret commission, which was to corrupt as many of the officers as possible, and to bring them over to favour the Austrians. The committee of public safety did not lose sight of this lady, so that she was unable to communicate with any one. They took from her a letter of recommendation she had received for a young man in Venice, to whom she was not known, and presented her to another, chosen by the committee itself, making her believe that he was the person to whom the letter was directed. This young man played his part so well, that he removed all suspicion from the lady's mind. She ended by being really enamoured. All her secrets were told and reported to the commission; the lady was sent to prison, and, I believe, she remained there till the enemy entered Venice. To this the Austrians added another attempt, no less silly, which diverted the Venetians and all Italy—I allude to their balloons, and other aerostatic devices. After talking of these for two or three months, and after numerous experiments made in the Austrian camp, near the Adriatic, and in that of Isonzo, they at last carried them into execution. They sent up some fire-balloons from their war-vessels, stationed in the Adriatic, and opposite the island of Lido. These went high enough to pass over that island, and the enemy flattered themselves that they would arrive and burst in the city of Venice, but not one ever reached so far. Under these balloons was a large grenade full of combustible matter, and fastened by a sort of cord, also filled with composition, which, after a certain given time, was to consume itself. As soon as this happened, the grenade fell, and in its fall, burst against the first obstacle which it struck. Of all these balloons that were sent up, one only left its grenade in the fort of St. Andrea del Lido. The others were all extinguished in the waters of the Lagoon, and sometimes sufficiently near the capital to amuse the population more than any other spectacle.'—*Ib.* p. 115.

From these extracts it will be seen that the narrative of General Pepe is full of interest, and that it abounds with details absolutely necessary for comprehending the late movements in Italy. The author's sentiments are manly and noble through-

out ; he has all a patriot's desires for the liberation of his country, and would, no doubt, willingly sacrifice what remains to him of life to ensure its liberty. Such works cannot fail to do good, as they tend, at the same time, to nourish generous feelings, and to diffuse the knowledge of what gallant things the people of Italy have performed in the attempt to shake off the yoke of the barbarians. That their beautiful country should still remain subject, in a great measure, to Austria, is a reproach to all Christendom. But she has no longer anything to expect from without. Her liberation must be her own work, and we trust that even now the sword is sharpening which is to accomplish her deliverance.

ART. III.—1. *On the Religious Ideas.* By W. J. Fox, M. P. 8vo.
London : Fox.

2. *The Westminster and Foreign Review*, April 1850, Art. IX. *The Church of England.*

WE have placed together the titles of Mr. Fox's volume, and of an article in the 'Westminster,' as presenting similar views, in some respects, of Christianity, as taught, not by the Church of England only, but by the numerous bodies in this country that abide by the ancient Catholic faith of Christendom. Both in the lectures of Mr. Fox, and in the brilliant paper of the 'Westminster,' that faith appears to us to be misrepresented and repudiated ; and we should ill discharge our duty to our own convictions, and to the great principles which we hold to be of paramount *evidence*, as well as authority and moment, if we did not avail ourselves of the appearance of these publications to record our judgment of their contents, of their tendency, and of the treatment which they deserve at our hands.

The lectures of Mr. Fox are fifteen in number :—I. The Religious Ideas—their Universality ; II. Their Objective Reality ; III. Revelation ; IV. God ; V. Divine Attributes ; VI. Creation and Providence ; VII. Redemption ; VIII. Human Immortality ; IX. The Moral Sense ; X. Heaven ; XI. The Religion of Humanity ; XII. Christianity ; XIII. Political Establishment ; XIV. Education ; XV. Practical Influences.

In the *first* lecture, Mr. Fox represents a few simple *ideas*—such as revelation, God, providence, the sense of right and wrong, duty, redemption, heaven—as the primeval elements of religion ; and these *ideas* he treats as common to Judaism, Christianity, the

mythologies of the Goths and of the Greeks, the multitudinous idolatry of the Hindoo, the stern monotheism of the Mohammedian, and the gigantic superstitions of ancient Egypt. These *ideas* he regards, not as strictly innate, but as tendencies to modes of thought which are universal, and which have been modified in a thousand different ways by priests, kings, prophets, or reformers, in all ages; while these modifications have been further influenced by differences of race, government, climate, literature, and discoveries in science. With this comprehensive view of 'the *religious ideas*' the lecturer speaks with equal approbation of the Veds of India, the Prayer of Epictetus, the Dialogues of Plato, and Pope's 'Universal Prayer.' He calls these *ideas*—

'The religion of humanity, more ancient than the oldest superstitions, *more divine than the best attested oracles*, more enduring than the faith which seems to be the most firmly established in the world;—a religion of humanity, which goes deeper than all, because it belongs to the essentials of our moral and intellectual constitution, and not to mere external accidents, the proof of which is *not* in historical argument, or metaphysical deduction, but in our own conscience and consciousness;—a religion of humanity, which unites and blends all other religions, and makes one the men whose hearts are sincere, and whose characters are true, and good, and harmonious, whatever may be the deductions of their minds, or their external profession;—a religion of humanity, which cannot perish in the overthrow of altars or the fall of temples, which survives them all, and which, were every defined form of religion obliterated from the face of the world, would re-create religion, as the spring re-creates the fruits and flowers of the soil, bidding it bloom again in beauty, bear again its rich fruits of utility, and fashion for itself such forms and modes of expression as may best agree with the progressive condition of mankind.'—Pp. 12, 13.

Amid the changes which have lately been rife in the world, the lecturer sees no safety but in holding fast by the great and enduring principles of our moral being.

In the *second* lecture, all religions are traced to the same materials, and are represented as containing the proofs that *religion itself* is not a form, a dream, a fraud, a chance, or a superstition,—but a *reality*. The historical forms which religion has assumed are treated as very unimportant to its essence. It is here, 'by the ordination of that omnipotent nature, from which all result.' As all our faculties are objective, so both human nature and religion are correlates, belonging to the same system of causation. The ideas of God, and of a future state, and the dictates of the moral sense, are regarded as *more powerful than the Bible or miracles*, because of their affinity with human nature and with human knowledge.

The *third* lecture disposes of the question of Revelation, by comparing the claims of different religions to this kind of authority. Every claim is acknowledged as, in some degree, founded in truth. The Koran of Mohammed, we are told, ‘much more distinctly claims to be, in its entirety, a revelation, than the Bible.’ The craving for revelation shows that nature is stimulating art to a constantly ascending scale of wants and gratifications. The forms which religion has assumed are all arraigned, as having failed to satisfy the great want of humanity :—

‘ No religion has so appealed in its entirety to the common human heart, as to become the religion of human nature ; and yet they have all had ample time for doing so, had it been in them. As to Christians, they have taken of late rather to split than to multiply ; to divide rather than to extend. They cannot convert one another, and hence there is little chance of them converting the Hindoos or other heathen.’—P. 40.

As revelation of the great ideas of religion is not found, according to Mr. Fox, in the Holy Scriptures, he finds it everywhere else—wherever moral or spiritual truth is, without any preternatural agency, just as the theory of the universe arose in the mind of Newton, or as the principle of political economy to which Bentham devoted his life, arose in the mind of Priestley. What we call logic in the West is, in the East, ascribed to the ‘great source of thought ;’ and as religions have generally originated in the East, they bear the Oriental character. Each particular religion adds to the original *ideas* something which is impossible, or improbable ; and one religion borrows from another. All exclusive claims, those of Christianity, for example, are denounced as arrogant and presumptuous. The true miracle is—Nature. The source of thought and truth is—*within*.

The *fourth* lecture, on God, proceeds on the principle that there are few, if any, atheists. A revelation implies a revealer. The impulse of Gibbon, to write his history, was a sort of occurrence which, told in Oriental phraseology, would be ‘the word of the Lord came to such a one, and said, Go thou, and do this great work.’ Thus, the relation in which man perceives himself to be to some unseen power, suggests a revealer. By a similar process, the various emotions of the mind are related to the same invisible power. This relation is recognised in Fetishism, Polytheism, and Monotheism. The mental process of abstraction and identification is the source of all revelations. Moses, as a wise man, dealing with a horde of savages, appealed to their traditional knowledge of the God of their fathers ; and, adapting his instructions to their history, spoke of that God, first as a Deliverer, and then as a Legislator. Then Miracle

gave place to Law. After this, their military experience led them to speak of God as ‘the Lord of hosts,’—‘a sort of Mars or Odin, the leader of armies, the God of battles, and the giver of victories.’ In later times, of enforced submission, the thought of mercy came, and God was addressed as a Father. In our own times, this thought is impeded by creeds and conventional theories; but the tendency of our day is towards the recognition of universal humanity, and of ‘an essence, a spirit, a soul of the universe, incorporate with all, and in all:’ ‘we believe in God.’

The *fifth* lecture is a condemnation of the Christian conception of the Divine attributes, as the conception of a barbarous age, artificially preserved by national formularies, but inconsistent with a state of society in which the free scope of the moral sense is allowed. Whatever we can conceive of perfection in our best moments, is the true standard of the Divine perfections. It includes majesty—holiness—power—plurality, these are found in all religions: the Egyptian priests, with the ark of Osiris—Moses, with his rod—Babylon, with its high tower—Persia, with its sun-worship—the Druid, with his mystic circles—the Greek, with his lovely forms—the Catholic, with his cathedrals and processions—and the Protestant, with his sterner simplicity—all—

‘are doing their work, in varied ways, very imperfectly, very erroneously often, as needs must be with the imperfection of their nature; but they are doing their work, the work of humanity, the work of divinity. They are endeavouring to unfold, according to their means, their native conceptions of the religious ideas; they are labouring for that. And let us not look on as uninterested spectators; but let us look on with hope, let us look on with help according to our ability—that we too may have our share in the grand result, our portion in the blessed heritage of eternal truth and happiness.’—Pp. 90, 91.

The *sixth* lecture, on Creation and Providence, treats the Christian mode of viewing these subjects as fraught with the absurdity of ignorant ages—substituting poetry for science, creation for the development of law, God for nature, and the interventions of Jehovah for the ‘one pervading life, soul, spirit, and tendency’—‘the great development towards which all things tend, of the infinite in the finite, of God in humanity and nature.’ True piety is ‘a harmony with the spirit and life of things.’

The *seventh* lecture, on Redemption, treats of the sacrifices which abounded in the ancient world, and the historical and mythological Redeemers of antiquity, as embodying the principle of redemption by endurance, by devotion, and by the moral influence which attends upon self-sacrifice. This principle is opposed to the manufactured doctrine ‘to be found in the

speculations and theories of the epistles of the New Testament writers ; and it is declared to be embodied in the history of Jesus. The ‘natural doctrine of redemption by sacrifice’—illustrated by the examples of Cato, Kosciusko, Clarkson, and Howard—is said to fill the minds of the good, ‘as the Spirit of God possesses every atom of universal being :—

‘Thus the Redeemer has glory in the redemption for which he sinks every other thought ; in his life we trace a pure emanation of Divinity, and we feel that death *restores* or raises him to a more perfect identification with that Divinity.’—P. 124.

The *eighth* lecture, on Human Immortality, draws from every philosophic theory of human nature the acknowledgment of a peculiarity, and a superiority, in the human constitution ; and deduces from that nature the conclusion of its immortality. Even admitting exceptional cases of ignorant or isolated human beings, the lecturer contends, from the whole analogy of natural history, that there is no presumption against the future life of man. He regards the *idea* of the life to come as being pre-eminently religious ; and, through all the conceptions of the nature of that life to come, which have been framed by poets, philosophers, or barbarians—‘the shadows of earth cast upon the clouds’—he sees the proof that man is intent upon a future state of existence. The grounds upon which this faith has rested are not in the arguments, but in the natural tendencies of the believers.

‘There,’ he says, ‘let it stand, bound within the covers of no sacred book—*independent* of tradition and legend—not resting upon the questionable testimony of historical evidence—unlinked from any association with preternatural wonders—needing the confirmation of no Church or priesthood—neither affirming nor denying any divine mission—but resting and remaining, like the enduring pyramids, or, rather, like some mountain heaved up by Nature herself, to tower aloft and hold communion with the skies, those skies which are a type of Divinity. “Love to God and love to man” was the summary of the stone-tables of natural and Christian duty. There is a summary of the religion of Nature inscribed on the fleshly tables of the heart, and that summary is, “The perfection of Divinity—the immortality of humanity.”’—Pp. 139, 140.

In the *ninth* lecture, which is on the Moral Sense, the utilitarian theory of virtue is abandoned for the general sense of right and wrong which pervades human nature, and in which ‘God speaks by the feelings of his rational creatures.’ This sense may have been distorted by superstition, and ‘Churchism’ has ‘made sad havoc with it.’ Still, the source from which these perversions flowed was pure ; and beneath whatever may seem

deformed or offensive, ‘is blossoming that flower of truth and loveliness which is native to the human heart—which renews its being, maintains its beauty, and ever sheds abroad its blessed influences.’

HEAVEN, in the *tenth* lecture, is a brief term for man’s *religious idea* of the Chief Good—purity, blessedness, communion with God—variously represented according to men’s modes of thought, or habits of life. Of that heaven, it is maintained, that none have ‘given us more authentic information than that which we derive from the human mind and heart.’ The discoveries made to the world by Jesus and his apostles are treated as mere fictions, revealing nothing but imaginations, contradicted by advancing science. The assumption of particular knowledge of futurity has been ‘as the golden sceptre and the thunderbolt in the hands of the priesthood.’ These powers have a foundation in truth. The aspirations of the intellect, the affections, the imagination, betray the universal conviction of mankind—that the Chief Good is to be realized hereafter; and millions have clung to this conviction, as their ‘homely delight and strength,’ in temptation and in death.

The religion of humanity is the theme of the *eleventh* lecture—perhaps the most important in the series, as a general view of the whole system. This religion is described, with much eloquence, as the constitution of human nature—*the origin and test of moral truth*. The truths developed in this constitution are *the only truths worthy to be called revelations*. They are free from the uncertainty, the ambiguity, the obscurity, ascribed to ‘a book in a dead language.’ This religion, we are assured, is in all peculiar systems of religion, and is their soul; in idolatries, in Judaism, in Christianity. In all these peculiar religions there are unjust assumptions, corruptions, and mistakes; Christianity, especially, has been deprived of some of its doctrines by geology, and of others by astronomy; but the religion of humanity, being natural, is progressive with the advancement of the species in knowledge and in virtue.

The *twelfth* lecture is designed to show that Christianity is *not* the one true religion—that it is the religion of a minority; competing with religions more ancient, boasting miracles more wonderful and more numerous, and exhibiting the self-same morality and piety. Hence the alleged failure of the Christian missions, in contrast with the spread of our arts. The Christian religion is the religion of the superior races of mankind; and it has been constantly undergoing changes and modifications. Simple at first, and isolated, it was gradually organized; then adorned with pomp and external power; then united in the Pope; more freedom was introduced by Luther; while, within the last three

centuries, one tenet after another has been abandoned by increasing knowledge. With all these changes, the universal and enduring exist more truthfully and efficiently in Christianity than in any other of the specific forms of religion—in its devotions—in its grand theology—in the morality of Christ—in its moral pictures—in its maxims and precepts—and, above all, in the character of the Son of God. The *records* of Christianity, however, are charged with discrepancies, contradictory statements, legends, myths; and the miracles, we are told, must yield to the criticism which discriminates the accidental and the temporary adjuncts from the permanent and enduring principles, disregarding, comparatively, that which *marks out precisely* the *nature of heaven*, and the conditions of salvation, and clinging to that which appeals only to reason, love, and hope.

In the *thirteenth* lecture, the author argues against the political establishment of religion. As religion belongs to the same principles of human nature which prompt men to form communities—as it is self-renewing, the only political mode of promoting religion is to let it alone, and to promote the development of human nature. As establishments necessarily uphold some specific forms of religion, they hinder and oppress inward religion, invade the rights of man, foster persecution, casuistry, dread of knowledge, and they have all failed as to their professed aim. National expressions of religion need not be discouraged; but they should vary according to the forms in which any number of persons in the same nation may agree. Freedom is numbered among the religious ideas, though it is not confined to them.

The *fourteenth* lecture, on Education, embodies the author's notions on one of the most exciting practical questions of the day. Those notions can scarcely be appreciated, if viewed apart from the principles asserted in the previous lectures. Education is defined to be—‘the voluntary action of mind upon mind, for the purpose of *influencing* the formation of character.’ Many other influences, beyond our control—society, literature, passing events, the tendencies of our constitution—ever at work, ‘these in God, or God in these, constitute the power by which character is made.’ Education is spoken of as ‘a religious work,’ not in the common acceptation, but according to the interpretation of religion given in this volume—the development of the religion of humanity. What others call secular, Mr. Fox calls religious; and this, he maintains, the State may promote—not by direct teaching, but by facilitating, enforcing, securing it, for all its subjects—by scattering the means of education over the country, stimulating local efforts, making the richer and more favoured localities help the poorer and more ignorant, checking the sectarian zeal of Churches and priesthoods, and taking care that

teachers shall be well qualified, invested with dignity in the eyes of society, and supplied with opportunities and advantages for the accomplishment of their purpose. This work is to be carried on in a spirit of reverence for humanity, not according to the views of certain creeds: it has its missions and its inspirations. It is the business of society to 'find the educators, to place them in their sphere, and to give them every facility for their work.'

The concluding lecture, entitled, 'Practical Influences,' may, we think, be properly regarded, and is manifestly intended, as it seems, to challenge a comparison of the worth of natural religion with that of Christianity. In making this comparison, the lecturer strongly condemns the notion that religion is subordinate to the ends of civil government, or the means of building up a national character. He maintains that, according to the views he has expounded, those who are in such a stage of civilization as to need marvels, prophets, miracles and portents, and forms, will take care to have them in abundance; but that the ruler may be satisfied that there should be in society those who think the specific form the creature of the day, the offspring of a particular kind of civilization, and deem it not important as compared with the great, the vital, the enduring essence of religion.

When it is asked—whether these religious ideas are sufficient for the salvation of the soul, the answer is, No—according to the Christian estimate of salvation; but, substituting another estimate of salvation, 'then these simple ideas, the universal heritage of humanity, the testimony of man's spirit to the spirit of God that is in him, do save the soul, and produce the life of God in the soul of man.'

If it be objected, that Mr. Fox's system is one of negations, he replies—that it is *expansion*, not negation; that he acknowledges the inspiration of the Scriptures, as well as other books; that he acknowledges revelation in the Bible, as well as in nature and in history; that he acknowledges God was in Christ, as well as in humanity, and in things inanimate too; and that there *was*, and is still, a progressive development in religion. He confesses that his views are not those which will fan the ardour of proselytism; but, instead of this, what is common to all religionists, will be more prized than their characteristic differences.

Such is a brief, but not hasty, nor partial, outline of these lectures. They are couched in perspicuous and elegant language, and pervaded by a free, and manly, and independent tone; a strong vein of common sense; and a poetical, rather than a logical, style both of thought and of expression. No reader can fail to perceive indications of the ambition of a reformer, and of the complacency of one who believes that he

has demolished a good deal of popular misconception. The spirit of the lectures is eminently philanthropic, and breathes a good-humoured confidence in human nature, which is very attractive. We mean no censure in saying that they are superficial. There is a superficies : it is well that it should be seen. There are minds well fitted to see it, and to show it to others. With such a mind this author is endowed. Along with this endowment, he possesses considerable powers as a rhetorician, and, as those who have heard him will gladly testify, considerable merits as a public speaker. All these qualities have secured for him no small measure of popular admiration and influence. What he says is heard, what he writes is read, with much pre-possession in his favour. Having won his way, by his brilliant abilities and by his liberal opinions, to a place in Parliament, the clerical character is forgotten in the laical ; and he has the very great advantage of setting forth independent opinions, rather than the dogmas of a sect. Most cheerfully do we acknowledge his right to do this. Nor have we any hesitation in saying, that he has done it ingenuously and gracefully. We could not honestly say that he has brought forth any new fact, or any new speculation—that he has burdened himself with the load of much learning, or that he has entangled himself greatly with the difficulties of severe reasoning. He exhibits many of the excellences, and some of the faults, common to the champions of human progress, who oftentimes see, or think they see, in a few simple ideas, a succedaneum for the larger and more complicated investigations which profounder, and more comprehensive, and more patient, inquirers have *ascertained* to be necessary for a fuller perception of the truth. He has woven, not without the skill which conceals labour, the ancient and many-coloured objections to Christianity, into the warp of that fixed dislike of the supernatural which treats all evidence to the contrary of its own conclusions with inconsiderate and inconsistent scorn—making theories, and not *facts well proved*, the law of its belief. We will not undertake to affirm that he understands his own position ; that he has examined *what* there is in Christianity *beyond* the rudiments he sees in human nature, and which raises it, as a *theology* specially inspired for a purpose clearly stated, entirely beyond the plane of all specific religions whatever ; that he has patiently investigated the relations of this divine theology to that human nature which men have *wronged* by the transgression of its laws ; that he has closely pondered the eternal principles embodied in a nature which has conscience for its supreme faculty ; that he has meditated, with adequate seriousness, on the workings of a human spirit, in which a long-neglected conscience asserts its dread authority,

and makes the whole man feel that he needs a deliverer beyond himself, and something more potent than *ideas*—however natural and correct—to adjust his relation to the Holy One, whose government he has set at naught; that he has weighed *the true value of a book*, or the critical, historical, analogical, and personally experimental grounds, which millions have had for holding that the Book of Christians stands *alone* in the literature of the world—that, if not true, it is a miracle as really beyond the laws of mental nature, as the raising of the dead is beyond the laws of material nature, and, if true in the outline of its most natural transactions, must be true, according to the principles of all historical evidence, in those *extraordinary* statements which are necessary to the actual consistency of all the rest; or that he has even reached the sublimest of all intellectual perceptions—the perception of a Wise, Powerful, Good, and Holy Being, who shows, by what we call Nature, that he is *before* it and *above* it, its originator and its end. We have it not in our power to say that the writer of these lectures has done justice to the intelligence, the philosophy, the learning, the philanthropy, the love of freedom, the self-sacrifice, the piety, the meekness, the dignity, the spiritual power, of the men by whom Christianity—*as it is in its own documents*, and in *the matured character of those who earnestly, as well as intelligently, hold it as true*—has been studied profoundly, beautifully honoured, and bravely defended with *arguments unanswered*, and by lives such as ‘the religion of humanity’ has neither eclipsed, nor equalled, nor proved to be factitious.

We should have been glad to recognise in these lectures a higher reverence for Him whom Christians, from the times of John and Paul, down to this day, have adored, and loved, and served; especially after being told of ‘Christian Unitarianism,’ that it ‘has never found itself so much in sympathy with mankind, notwithstanding its boast, and its justified boast, to some extent, of superior rationality, as to diffuse itself very widely in society; nor can any system which does not bring Divinity nearer to us than the endeavour to conceive of an infinite person, and yet to separate that person from the world of existence.’ We should have thought that it belonged to the highest attainment of humanity to sympathize with Him who is its perfect Exemplar, and to receive with gratitude the lessons he has taught on the great themes to which the constitutional tendencies of man are so divinely adapted, and on which he discoursed as never man discoursed before nor since. We should have thought, moreover, that the harmony of his life—both with his own references, of the dignity of which he was so evidently conscious, and which shed its peculiar lustre on

this ineffable humility, and with the glowing and reverent style in which he is spoken of by the chosen witnesses of his resurrection—would have led a mind that does sympathize with him to a higher appreciation of the great truths which centre round his name. If it be true that he has told us nothing respecting God or futurity, or man in his relations to God and futurity, beyond what had been already revealed in the constitution of human nature, conclusions logically follow which it would have been fair to enunciate, but which are not contained in these lectures—and why not? Is it because the lecturer is, after all, not sure of the premises which he has so eloquently stated?—or, because he has not *reasoned* from them?—or, because he knows that the conclusions, boldly given, would have been too fierce an assault on the convictions of the best-informed, as well as too gross an outrage on the most sacred feelings of the most devout? The conclusions, nakedly and formally stated, are such as the following:—Jesus, who called himself the Son of God, who said that he had come forth from the bosom of the Father, to give his life a ransom for the many, to prepare a place for his followers in his Father's house, and, finally, to judge the world, was either a vile pretender or a weak enthusiast; or he has been grossly misrepresented in the only writings which tell us what he said and did. That such conclusions harmonize with the contents of those writings, and with the effect which they have produced on the world, and with many facts acknowledged in these lectures, it is not our business to determine; but it is passing strange, that the system founded on the facts and principles of these writings should have preserved the enduring and universal in religion ‘more truthfully and efficiently than any other religion!’ Yet such is declared, in these lectures (p. 186), to be ‘the result of a complete and fair examination.’

In many of the statements of these lectures we have to express a modified concurrence. We have no doubt, that the capacities of human nature are as they are here represented, or that the religion of mankind is conversant with ideas respecting God, revelation, providence, duty, redemption, heaven. But, as these ideas, not being innate, are the result of teaching, and, as in all religions, excepting that which is taught in the Bible, there is erroneous teaching on all the great theories to which these ideas relate, we are indebted to the Bible, directly or indirectly, for our knowledge of those truths respecting God, and redemption, and heaven, which Mr. Fox attributes solely to human nature. All the sciences are conversant with things respecting which men have ideas, but knowledge displaces vague or false ideas by such as are definite and true; in like manner, the instructions of prophets, apostles, and evangelists, discovering to us the facts

and the general truths which constitute the gospel, correct the errors into which men are continually falling, on matters which concern their highest well-being, impart *the knowledge* of God, of a Redeemer, of eternal blessedness, show us how to live and how to die so as to be right and happy, and guide the best faculties and instincts of our nature to their proper objects. Men may depreciate the labours of discoverers and inventors, saying that they can do no more than modify our natural ideas of the material universe, by methods quite as rational as those by which Mr. Fox attempts to depreciate the revelations of Divine wisdom in the gospel. The true question, however, we take to be this: Does the Bible contain discoveries respecting God and man, and their mutual relations? We think it has been proved that it does. Such discoveries the sacred writers profess to give, and have given. This is not the place for an elaborate defence of such a position. Our object is not to argue on behalf of Christianity, but to indicate what we regard as a want of fairness in these disparagements of it. Unhappily, some advocates of Divine truth have claimed for the Bible a completeness and an exclusiveness of authority to which the men who wrote it make no pretensions, and, in their zeal for particular doctrines, not a few able men have put constructions on the words of Scripture which do violence to their simple meaning; but, surely, it is not wise to charge these mistakes, or whatever else they may be called, upon the book itself. Here, we take the liberty of saying, in all candour, Mr. Fox appears to us as being more averse to Christianity than any of the deistical writers of a former age. These lectures are not the composition of a Deist. The writer is simply a Pantheist. We are not using the term Pantheist in any invidious sense, but as the correct definition of the writer in distinction from a Deist. He belongs to a school. Without the power of deep philosophical thinking, or the habit of close and continued investigation, he presents, in an alluring dress, the shadowy outlines of a cloudy congeries of world-old fancies, which some of our worthy German neighbours have been dignifying with the name of philosophy. It is nothing more than the mistake of substituting *ideas* for *things*, the abstractions and generalizations of logic for real beings. We want a name to express our notions of *all things collectively considered*; the familiar words—world, universe, are not thought to answer the purpose so well as the *τὸ πᾶν* of the Greeks. God is either a portion of the *τὸ πᾶν*, or the infinite and independent creator of the *τὸ πᾶν*, or *the word God is a name for the τὸ πᾶν*. Adopting the last of these suppositions, men reject the second, and the word God, in their notion of it, stands not for the Creator and Ruler of all things, but for ‘all things;’ and this is

Pantheism. From several expressions in these lectures we gather that this is the sense in which the word God is used. Some of these expressions are:—‘*Omnipotent Nature*;’ ‘*the thought of Deity is a proof of God*;’ ““*Queen Mab*” is not an atheistic poem, whatever Shelley might think or profess; it recognises that pervading spirit of love presiding over universal being which is only a phase of theism—a peculiar phase, and certainly not among the least lovely;’ ‘*the universal principle—pervading presence and power*;’ ‘*an essence, a spirit, a soul of the universe incorporate with all, and in all*;’ ‘*a God ab extra*, referred to as not believed in (pp. 86, 87); as also, ‘*a Deity that lives without, and rules over, and thus manages, changes, and guides*;’ ‘*something superinduced, something interposed*;’ ‘one with the majestic frame of the heavens and the earth—one with the mighty movements of material nature—one with intellectual and moral development in humanity—who lives, breathes, thinks, feels, acts, in and by all that is—all that is being one with them, and He all and in all;’ ‘*the notion of law, universal law, in nature, when once it arises, and is clearly apprehended, brings what is called Creation within the same category as the events by which it is followed*;’ it sees in them all developments, and developments only—the one infinite, universal, and eternal, the great original, and all else modifications and manifestations.’

Now, though Pantheism sounds like the opposite of Atheism, it is equally remote from Theism. According to the doctrine of these lectures, God, Providence, Creation, as understood by Christians and, by Deists, are denied. To deny these primary truths of religion, and, at the same time, to hold by certain ideas or instincts of the human mind, is to deny all that renders religion possible, and to remove the foundations which Christianity assumes as laid. He who has reached this point of denial, and imagines that his denial is expansion of the truth, is not likely to attach importance to the historical documents in which the truths peculiar to Christianity are embodied. To him, miracles, prophecies, inspiration, are modifications of natural laws, veiled under the ignorance or oriental extravagances of pious but ill-informed religionists. It ought not to surprise us that Mr. Fox should be fascinated with such vapoury expansions, or that the portion of the public with whom he is an oracle should be fascinated, in their turn, by the rhetoric which they mistake for reasoning, and the dogmatism which they admire as freedom. Neither he nor they have any distinct object of worship. Why should they pray to a God which is nothing more than an abstract notion of the human intellect, unless it be that whole of which they are themselves essential parts and varied modifications? What to them are sin, repentance, atonement, redemption,

heaven, hell? What have they to fear in death? Why should they feel responsible to one above themselves? What revelation, or law, can they admit but nature?

There are few thoughtful persons, we presume, who are strangers to the occasional suggestion of the difficulties which the limitation of our faculties, and of our range of observation, imposes on every attempt to grasp the entire circumference of any question whatever in the region of speculation. But the Bible is for man in his practical life, in his actual condition, in his deep and universal want; and while the mere speculator finds the same perplexity here as elsewhere, the man who follows evidence, believes what is proved by substantial and appropriate testimony, gives his confidence to a *Being* whose power and love are known to him, and humbly obeys that *Being* in *all* his revelations, obtains solid peace of mind, has that within him which restrains his passions, consoles his griefs, elevating him to a manly life, a saintly death, and the sweet ennobling assurance of everlasting joy.

There are many insinuations, caricatures, and other figures of rhetoric, in these pages, which have struck us, while reading them, as illustrations of the kind of weapons which are nearest at hand, and most dexterously wielded, by adversaries whose moral earnestness is not strong enough to check the play of their intellectual adroitness. They seem to forget that they have no monopoly of such artillery, no exclusive patent for its use; and that the time may come when men of graver discipline, finding that these adversaries will not, or dare not, or cannot, meet them fairly on the well-fought fields of scholarship, of candid investigation, of orderly and courteous reasoning, will condescend to their own style of doing things, lash them with unsparing ridicule, and turn against them the indignant scorn of all whose opinion is worth caring for.

Before we take leave of these lectures, we must not omit to point out a pleasant passage, which treats us to a specimen of the kind of religious freedom which Englishmen may expect, if ever the opinions here propounded should gain the ascendant in high places. Among the 'things which the State may and can do' for the education of our people, we are told, most amiably:—'It can *take care* that sects and Churches do not pervert the operation of education to their own selfish or class purposes,' (p. 220.) Now, the State neither may nor can do this thing *until the religious liberty of England is destroyed.* LET HIM WHO DARES—ATTEMPT IT.

We remember to have read in the 'Westminster Review,' some three years ago, a paper of considerable power, on Strauss's 'Life of Jesus,' and Theodore Parker's 'Discourse of Matters per-

taining to Religion.' We need scarcely say, that there were many opinions broached, or hinted, in that review, which our convictions led us to reject, but which prepared us for something like the article in the April number of the same 'Review,' entitled, 'The Church of England.' Into a detailed, critical, or controversial notice of that article, we do not feel that we are required to enter; we have not space now left for the purpose; but we are careful to record our protest against the subtle infidelity, the perverse confusion of Christianity as we hold it, with what we have been habitually opposing as the additions or modifications of its professed disciples—the ignorant or studied misrepresentations of orthodox belief—the bold denunciation of the great mediatory principle we receive and cherish, and desire to propagate, as *the principle of the gospel*—the levity which trifles with the most awful mysteries of the Divine government—the dogmatism—the unreasoning substitution of human speculations for revealed verities—the laborious accumulation of often-refuted objections to the Bible—and, in a word, the *animus* of the entire composition. While there is much to which the readers of the 'Eclectic' will probably agree with us in assenting, and which we are sure is in accordance with the views of many most Evangelical believers, we cannot but lament that truths of great practical value, together with many literary attractions, should have been so blended with superficial opinions, unsound principles, and dark insinuations, as to form a mixture more mischievous, on the whole, than any production which has lately come before us.

Why, then, it may be asked, notice these and similar publications at all?—why call attention to them from readers who, otherwise, might know nothing of them, or content themselves with having heard that they are not fit to be introduced to Christian families?

One reason for not pursuing the course of politic silence, or of indiscriminate condemnation, is, that we honestly believe there has been too much of both already by what is conventionally styled 'the religious public.' We certainly do think that persons in all classes of Christian society, and especially all Christian teachers, should be better acquainted than a great many of them are, with the notions of the most active-minded among our earnest operatives, and among the more highly educated of our countrymen.

Another reason which induces us to adopt the seemingly more adventurous course, of examining and reporting faithfully such writings as those with which we have now dealt, is—that we do not think it desirable for Christian believers to withhold their moral sympathy from persons who may be on the way towards

serious and dangerous error. In what degree the misconceptions and aversions of disbelievers or doubters may be attributed to the narrowness, the timidity, the repulsive spirit, or the arrogant bearing, of their censors, is a somewhat delicate question. We do not think that all with whose professed beliefs we unfeignedly agree, however we may dissent from some of their modes of expression, derived by tradition from their fathers, have given to this question the kind of attention it demands. Perhaps it would be found that the number of those who have done so is even smaller than we ourselves imagine. If it should be proved that this is the actual state of things, then, in conclusion, we must say, that a great reform—much greater than any of those to which we devote so many labours—is most imperatively called for in the churches of this land, that they may be prepared for that struggle which, whether they think of it or not, is rising, like the waters of the ocean, all around them.

ART. IV.—*Life and Correspondence of the late Robert Southey.* Vol. IV.
London : Longman and Co.

THE press is at present exceedingly rich in biographies. One might read nothing else, and yet read much. We have of late read little else. First, there was the Life of Chalmers, so tastefully and carefully got up by his able son-in-law, Dr. Hanna—a pleasing and life-like portraiture of one of the most meteoric, yet measured, of lives ever passed on earth—in which the most eccentric impulses and tendencies were united to keen common sense, and intense perseverance and practicalness, and in which, latterly, a powerful and independent genius consented to run meekly in the rut of celestial faith. We may here, by the way, state a curious and interesting fact we lately heard, on the best authority, in connexion with that biography. Our readers will remember Dr. Chalmers's correspondence with a young man of cognate genius, James Anderson, whom he was the instrument of confirming in the belief of Christianity ; how he went to College with a view to proceed to the ministry ; how, under the tuition of Dr. Thomas Brown, and the restless working of his own mind, his doubts returned ; and how Dr. Hanna intimates that, although still alive, a dark cloud had come down, and continued to rest on his history. The melancholy fact is, that for twenty-five years this man, of the highest promise, has been in an asylum, where his mind had sunk into a state of

almost idiocy. But we are happy to add, that the life of Chalmers was lately put into his hands. As he read it, and especially the part relating to himself, the scales seemed to fall from his eyes—it became manifest that his soul was not dead, but only asleep. His malady has been considerably alleviated, and it is not impossible but he may even yet be seen ‘clothed and in his right mind.’

Then we have had the life of Channing—an able and interesting, but, on the whole, gloomy, record of dark, uncertain struggles, never coming to a satisfactory termination; exhibiting a noble, honest, Christian, but much-overrated man, who possessed neither profound insight nor high genius, but thorough integrity, calm sense, clear intellect, and considerable rhetorical force. Then we had the former volumes of Southey’s life. Then we have just risen from perusing the delightfully-written life of a delightful man—the biography of Dr. Heugh, of Glasgow, by his admirable son-in-law, the Rev. H. M. M’Gill—a biography where we know not whether more to admire the extreme vivacity, the energy, and the piety of the hero, or the fine taste and skill of his chronicler. And, besides, what a number of biographies may be soon expected. Those of Jeffrey, of Bowles, of Wordsworth, and others of similar calibre, are on the stocks, and promise us inexhaustible and uncloying pleasure. Would that the age of Spenser, Shakspere, Raleigh, and Bacon, had been one tithe as well supplied with lives. But the time was not yet come.

This fourth volume of Southey’s Life does not cast any new light upon his character, nor compel us to modify, by one iota, the general estimate we gave some months ago of his genius and character. All his merits, his indefatigable industry, his varied talent, his strong but calculable genius, his high-spirited honour, his stern principle, his attention to all domestic duties, his love to his family, are discovered here—and so, too, are his faults, his self-esteem, his rigid righteousness, his intense one-sidedness, his contempt for his foes, and his bigoted attachment to his political party. Without indulging in many general remarks, we mean to follow the current of the narrative, interposing a word of our own at intervals.

The volume opens by showing us Southey in his prime (39), and commencing one of the most happy and busy sections of his life. The affairs of the ‘Edinburgh Annual Register’ have got embarrassed, and it is no longer a source of revenue to him. But this deficiency is abundantly made up by the ‘Quarterly Review,’ to which he has become a regular contributor, and for his contributions to which he is soon to be paid at the rate of one hundred pounds each.

We need not dwell on the merits or defects of this celebrated periodical. We have, quietly speaking, no great love for it. O'Connell was wont to describe the 'Standard' newspaper as 'dripping' with the blood of 'red Rathcormac.' We always see the dun cover of the 'Quarterly' dripping with the blood of Keats, Shelley, Hunt, and Hazlitt. Nor, to counterbalance its fearful sins of critical commission or omission, have we found, through a careful perusal of the greater part of its contents, much criticism of *permanent* value. No volume of selections from it would ever live. Its articles were most of them good, but few of them great. And, besides its outrageous injustice to political opponents, there was a contemptible coldness in its treatment of the productions of contemporary talent. Witness its heartless critiques on some of the first Waverley novels—such as 'Guy Mannering'—a tale which no Scotchman, at least, can mention without the blood coming to his cheek, and the fire to his eye. By far the best papers in it were contributed by Sir W. Scott, and were unique and inimitable in their kindly spirit, their varied knowledge, the easy undress of their style, and their delicious gossip. Next to these we like the papers of Southey, which, ranging over a very wide extent and variety of subjects, are rarely so pleasant as when they seek to shed their condescending sunlight upon old and forgotten, or obscure and neglected, authors.

This was, indeed, the finest trait in Southey's character. He was a warm-hearted, yet wise and candid, literary patron—as Kirke White, Dusantoy, Herbert Knowles, E. Elliott, and others, could testify. There are various classes of literary patrons, whom it may be worth while to discriminate. There is the vain patronizer, who uses a rising writer as a stepping-stone to subserve his own selfish purposes. There is the unwise patronizer, who overpraises and spoils his *protégé*. There is the insincere patronizer, who can say something in favour of a man—can promise to help him, but who takes care never to do it. There is the careless, half-and-half patron, who, from sheer negligence, does a man more ill than good—who first plucks him from the sea, and then lets him drop between his finger and thumb into deeper water. There is the jealous patron, who first admires, and is then base enough to envy, his man. There is the sensitive and selfish patron, who is always exacting the interest of his lent aid in full tale; and looks more sharply to the *quid* than to the *pro quo*. There is the belated patron, who, in Johnson's language, 'encumbers one with help.' There is the haughty patron, who doles out his praise in scanty dribblets, and with an air of insufferable insolence of condescension. And there is the manly, sincere, kindly, and true-hearted patron,

like Scott or Southey, who bases his blame or praise, encouragement or coldness, upon high principle—who does to another precisely what he would wish that other to do to him—whose praise is the stamp of immortality, and whose blame is like a divine caveat.

About this time, Southey wrote and published the ‘Life of Nelson,’ one of the most pleasing of his works. It tells a chequered, successful, blood-spangled, and mysterious story, gracefully, if not satisfactorily. The Napoleon of the deck receives a certain softness as well as grandeur from his pen. He makes a demi-god out of a demi-man. Nelson seems to us a one-eyed game-cock, run all to spur and beak, rather than a hero. He had amazing pluck, but pluck is no more valour than cunning is wisdom. He was a mannikin, too, in stature; and in the infernal regions of war, imps, such as Alexander the Great, Suwarow, and Napoleon, have always been favourites. Such concentrations of fury, such ‘essences of devil,’ as John Foster would say, amaze and terrify all of us. He was maimed, too; and the spectacle of a little man, half blown away by gunpowder, and yet ruling with his stump-sceptre the British navy, had a peculiarly poignant effect. Had he been French, his countrymen, who are passionately fond of all monstrosities, of all odd, angular greatness, would have deified him, as they did the old, grinning death’s-head of Ferney, or the little skinny corporal of Austerlitz.

In the September of 1813, Southey visited London, and met with Lord Byron, who was then, for a short time, enacting the tame lion in the saloons of society previous to his fierce and final leap over the fence into the wilderness. He was better pleased with him then than ever before or afterwards. They never could, by any possibility, have been friends, or even allies. What power could have made the pride of virtue in the one, and the pride of vice in the other—the dogmatic certainty of the one, and the shoreless scepticism of the other—the cultured and elaborate genius of Southey, and the one red swelling vein of demon power in Byron—to have coalesced? As soon might Michael and Satan, in the ‘Vision of Judgment,’ have sailed down, linked together, throughout the universe.

When in London, the laureateship, which had been declined by Scott, was offered to Southey, who accepted it, on the condition that he should only write when the ‘spirit moved him.’ We have no heart to dwell on the lays of his laureateship. They are, all and singly, a mass of ridiculous rubbish—rubbish, the more ridiculous that it is severely riddled, gravely laid down, and pompously piled up. Turn we rather to ‘Roderick’—his last poem worthy of him, which glorified the next year. The

author himself considered it the best which he could ever do, and felt naturally a pang at finding himself at his climax. We would not be thought blind to its very great merits—its beautiful descriptions, its testamentary gravity, its sweet and solemn spirit, the penitential shadow which rests like a dark wing upon it all, or the sublime moralizings in which it abounds. Still

‘The line labours and the words move slow.’

It produces the effect which an entire poem of Alexandrines would. Its spirit is slow, its line slow, its motion slow. ‘Can’t you get on?’ is the universal feeling. ‘Like a wounded snake, it drags its length along;’ the more provokingly, that the snake is a mighty boa. Vulcan was a god—but he limped none the less. We greatly prefer, as we stated in our former article, the ‘Curse of Kehama,’ the wild enchantment and ethereal horror of which bring it to the very threshold of the highest works of creative genius.

“Roderick” was scarcely launched before the battle of Waterloo roused all the Tory gratitude in Southey’s nature. He celebrated it by a bonfire upon Skiddaw—a piece of poetical tomfoolery which forms rather a pleasing exception to the staid formality of his usual life, and where poor Wordsworth, while staring, probably, at a star, and speculating at what angle it best gave him the idea of the Infinite, stumbled over a kettle containing the punch-water, and overturned it.’ We wonder how such wise men as Southey and Wordsworth could have dreamed, even for an hour, that the battle of Waterloo was a final stop to the revolutionary current—in any sense, ‘the Armageddon of the world.’ Not thus did the sagacious minds of Coleridge or De Quincey regard it. Hall, too, thought it had put the clock of Europe back several degrees. There was not, perhaps, enough of the revolutionary element extant in Southey’s mind to foresee that this was only a single wave broken on the shore, while the mighty stream of tendency must necessarily gain ground. Byron was a wiser seer when he said, ‘the Powers war against the Peoples. Blood may be shed like water, and tears like mist; but the Peoples will conquer in the end.’ Let these words be pondered now by those wiseacres who dream that the volcanoes in Hungary, Italy, and Germany, are asleep for ever. The revolutionary demon has only had another *reel* in his terrible dance done; he must rise, and, perhaps with Ruin as his partner for a season, have his dance out. The sea and the waves must roar louder and louder still, ere the great calm of the milder day shall arrive.

To Waterloo, with a third of Britain, Southey hied, partly to gratify curiosity, and partly to find matter for a poem. Behind

the banner of a conqueror not only flock the ravens of carnage, but the birds of song. The harp follows the sword, and would prolong the echo of its triumphs. Yet, of all the bards of Waterloo, Byron only succeeded. And this because he did not visit for the purpose of singing it at all—and because the sad glories of warfare are best described by a sad-hearted man: it is but fit that blood should be mirrored in bile—the mad field be imaged by the unhappy heart.

The most interesting thing connected with Southey's journey to Waterloo, is not the poem it produced (which, as a whole, was not so valuable as one sheaf of the harvest which that 'red rain' so abundantly produced), but the view a passage in it gives us of his domestic happiness and his love to his family, which was amply repaid. The passage is that describing his return home. We can only quote the first two stanzas:—

' Oh, joyful hour, when to our longing home
 The long-expected wheels at length drew nigh !
 When the first sound went forth, "They come, they come!"
 And hope's impatience quickened every eye.
 Never had man, whom Heaven would heap with bliss,
 More glad return, more happy hour, than this.

 Aloft, on yonder bench, with arms disspread,
 My boy stood, shouting there his father's name,
 Waving his hat around his happy head ;
 And there, a younger group, his sisters came—
 Smiling they stood, with looks of pleased surprise,
 While tears of joy were seen in elder eyes.'

Who would not be willing to sacrifice the fame of a homeless Homer, the genius of a banished Dante, or the insight of a 'childless cherub,' had he any or all of them, to have been able to transfer such a scene to his page? Alas! poor Byron had no kind family to which to return from his 'Pilgrimage to Waterloo—he was a 'wanderer o'er eternity;' and if he had worked for, and deserved the dreary distinction of having no home but hell—the hell of his own heart—does not this thought only add to the misery of the case, and should it not add to the depth of the compassion?

This dear 'shouting boy' was not long to be Southey's. Beloved of his father, Herbert was, also, according to the fine pagan fiction, 'envied of the gods.' He died at ten years of age, and his death seems to have given his father the first of a series of shocks, which at last levelled him to the dust. But, for the present, he stood the blow in a manly and Christian spirit. He shook, but it was like Skiddaw in an earthquake, to regain instantly his equilibrium. His personal piety, too, from that

hour deepened, softened, came down from the high perch of his intellect to nestle in his heart. He complains, that 'formerly he was too happy—his affections were fastened by too many roots to this world—this precarious life was too dear to him.' All this was now changed, and changed for ever. He now, for the first time, '*ceased to be a boy.*'

Misfortunes are gregarious. The loss of his son was followed to Southey by a multitude of disagreeable circumstances. After the rain of Waterloo the clouds returned. Political discontent came to a height. A revolutionary panic invaded even the solitudes of the lakes. Southey became more and more immersed in the wretched political discussions of that uneasy, unhappy time. He became the hack politician of the 'Quarterly,' and was even called to London and consulted by Ministers. Meanwhile, his enemies were not idle. An edition of Wat Tyler was published to insult him—William Smith, a man famous in his day, but now a

'Noteless blot on a remembered name,'

assailed him in Parliament; and the rejoinder, by its very keenness, showed how deeply the 'iron had entered into his soul.' He evidently considered himself a marked man in case of a revolution; and saw the red chalk of the wood-cutter, as if 'it had been blood.' His youthful friends, Dusantoy and Herbert Knowles, had followed Kirke White to the grave; but still the long sting of his impulse—that *lance* of lightning which ran through his whole history—remained the same. He continued his extensive correspondence, wrote on at his reviews, and, besides other works, commenced and concluded a life of Wesley, which at once contained a vast mass of curious information, and sought a politic object—that of reconciling the Wesleyans to poor old Mother Church, then shaking in a desperate palsy. Two situations, also, during those years, he declined—the one, that of writing the leading article for the 'Times,' at a salary of £2,000 a year; and the other, the office of librarian to the Advocates' Library, Edinburgh—an office which David Hume had held. He was wise in his declinature—feeling the force of the line of Wordsworth,

'Shine, poet, in thy place, and be content.'

In the same period, he nearly completed his elaborate work on the Brazils; took a tour, carefully journalized, to Switzerland (where he noticed and kindly marked down Shelley's mad post-fix 'Atheos' to his name at the album of Mont Auvert—an act no more praiseworthy than had he recorded some new oath he had heard from some passport-provoked Briton on his travels); gave

sonie sound advice to Ebenezer Elliott and Allan Cunningham, who had both consulted him anent their poetry (without very clearly seeing, or surely prognosticating, the genius and fame of either); had another son born to him; took a delightful trip through Scotland, in the bright and beautiful autumn of 1819; commenced his 'Tale of Paraguay'; and is left, at the close of this volume, projecting another journey to London.

We close this rapid analysis of the fourth volume of Southey's life, by a few brief and solid inferences which we mean to state, not to illustrate. First, it is pleasing to find a life so consistent as his—evolving like a piece of music, secure as a mathematical theorem, punctual as a planet. Secondly, it is sorrowful to think that such a life no more has propagated itself than the Skiddaw near which it was passed. It stands alone, with not even the transient shadow which a stedfast mountain casts. Southey's life may be lived by some literary men, but they are, we fear, few; and the motives and purposes of those who do pass it are seldom Southey's. Or, shall we rather say, that Southey's life was characteristically a lake, not a river: like a lake—pure, still, and solitary; not like a river—chequered, bustling, progressive, and communicative. Thirdly, the *true* ideal of the literary life is that of a combination of the elements of purity and progress—a river-lake winding through the grossnesses and miseries of the world, and yet reflecting the image of the heavens, in unsullied clearness, from its bosom—brilliant as light or fire, and as fire and light incontaminant. This life has hardly, in the present age, been lived; but lived it must be, ere literature reach her apotheosis, and be made ready, as the bride, to be wedded to the 'Religion of the Lamb.' We need now a 'virtue that is merciful;' a holiness that has been tested by trial, not by flight; a faith that would not kill, but kiss unbelief into subjection; a Christian theory of the universe, too, that would not absolutely repel, but rather attract, imperfect and inferior systems, like minor satellites, around its mild, yet imperious orb; and neither dogmatic argument, nor intellectual power, can effect this object, without the additional evangel of a liberal, honest, yet earnest and determined, life—if, indeed, all human efforts, however praiseworthy, are not doomed to be superseded by a higher and final avatar, which 'eye hath not seen, nor ear heard, neither hath it entered into the mind of man to conceive.'

We close by remarking of this volume that, while the intermediate chain of narrative is pleasing, it is somewhat slight—betraying little depth or power of writing on the part of the biographer; and that the correspondence, which plentifully supplements the narration, while exceedingly agreeable as a

record of events, and as a specimen of clean and clear English, contains little that is original, striking, or to which, unlike Burns's, Cowper's, and Byron's correspondence, we ever desire to recur. Still, the book, as a whole, is worthy of attentive and universal perusal; and we expect the succeeding volumes to increase in what may be probably a melancholy interest—for, to use Lockhart's words at the end of the fifth volume of the 'Life of Scott,' 'the muffled drum is now approaching.'

ART. V.—*The Literature of the Kymry; being a Critical Essay on the History of the Language and Literature of Wales, during the Twelfth and two succeeding Centuries.* By Thomas Stephens. Prize Essay. Longman and Co. 1849. Pp. 512.

NEARLY six hundred years have elapsed since English strength finally triumphed over Welsh bravery. Various and alternate had been the struggles, victories, and triumphs, of the two nations. King Arthur, Rhys ap Tewdwr, and Owain Gwynedd, are names distinguished in the annals of this warfare. Conquest often beamed on the Welsh shield, and lighted up the ranks of the sons of Cambria; until, in an evil hour, on the plains of Brecknock, the sovereignty of Wales was for ever laid low, and the last of her princes slain in the hour of retirement and solitude. Thus was fulfilled the prophecy of her son, Taliesyn, 'Ei Ner a folant, ei hiaith a gadwant, ei tir a gollant ond gwylt Walia'—Their God they'll adore, their language they'll keep, their country they'll lose except wild Wales.

It is a trite remark, that Wales has produced no individual distinguished in the first ranks of literature, science, or art. She is thus said to be exceptional to the other three portions of the kingdom. England has produced her Shakspere, Hooker, Bacon, Milton, Hobbes, Butler, Newton, Locke, and Paley; Scotland, her Maclaurin, Adam Smith, Stewart, Brown, Burns, Campbell, Scott, Jeffrey, and Chalmers; Ireland, her Spencer, Boyle, Burke, Moore, Curran, and Grattan; while Wales lies undistinguished in any one of the walks which the foregoing names illustrate. The observation, we fear, is too well founded in the main, while there are circumstances in the history and condition of the Welsh which mitigate, if they do not altogether remove, the aspersion involved in the truism.

The first of these circumstances, is the numerical smallness of

the people. The Welsh nation, even in the reigns of King Arthur, Owain Gwynedd, or Hywel Dda, although occupying territorially a larger space than they have within the last century, were thinly scattered over the country they inhabited. In those times, it is probable, from the best accounts, that the Welsh population never exceeded 2,000,000. Their number according to the last census was 911,321.

Other causes being equal, the probability of the rise of distinguished men among a small nation or people is less strong than in a great one. This probability is not in proportion to the numerical power of the two nations, but decreases, and more forcibly, as the one is less than the other. In other words, the relative probability of the rise of distinguished men in a small and in a great nation, is not in the ratio of their numerical strength. The moral and political causes existing in a great nation produce different results than can be accounted for by the mere fact of its numerical superiority. In this, as in many other instances, moral and political causes differ in the quantum of productive power, from those which are merely numerical, mathematical, or physical.

The political circumstances which are favourable to the growth and development of great attainments appear to be three—1, the existence of general intelligence in the community; 2, of academic institutions; and, 3, of wealth. The first, or the existence of general intelligence in the community, is favourable to mental progress, from the advanced level which the candidates for distinction start from; and by reason of the greater sympathy, encouragement, and reward, rendered to the successful competitors by such a society. The existence of academic institutions is necessary for the nurture and development of the talent and genius of the nation; while none of these advantages can exist, in any high degree, without the possession of wealth.

The three circumstances alluded to can only exist in a nation somewhat considerable. They are the concomitants and attributes of its greatness; while a small nation is, by the import of the terms, not possessed of them. Wales is in the latter condition. Whatever she may have possessed, or possesses, of the advantages alluded to, she has only in miniature. She never attained to national greatness.

The second circumstance which may be mentioned as detrimental to the mental and social progress of the Welsh, is the prevalence of their language. The great majority of the people of Scotland have, for the last century, adopted the English language. So have the Irish. But not so the Welsh: fulfilling the prophecy alluded to—although they have long lost their country, or, at least, independent rule over it—they retain their language.

It continues to be the medium of intercourse by the majority of the Welsh people.

Language is the medium for the communication of ideas. The language of a people at any given time, is a true test of the amount of knowledge and civilization which they possess. From the infancy of society, when the savage utters his sounds, and makes his signs, to communicate his wishes or wants to his fellow, down through the various long and winding ages which must elapse before that same society reaches the climax of civilization, its language, for the time being, is a never-failing index to its social and political condition. The first language of a people is that of sounds and signs. These are such as the occasion naturally suggests. At first they are unintelligible; but, by a repetition of the circumstances, the same sound or sign is, by common consent, employed to denote the same object or thing. These are the germs of language. At first language only described external and material objects. It afterwards reached immaterial things, or spiritual and moral objects. The process of the formation of language is gradual, and obtains only by slow and painful steps. The first words must have been those which described simple external objects—as a tree, a brook, or a cloud. Even general terms, descriptive of external objects—as a plain or a forest—must have been employed before any language was formed expressive of mental ideas. And here, again, the same process was pursued: first, simple, mental ideas were expressed; then these were put together, and general terms used. The language of a society or people was necessarily confined to the ideas and objects with which they were at the time conversant. New words were invented, and the vocabulary of the people or nation extended, as from time to time they coined new ideas, or became acquainted with fresh objects. Thus language, like most terrestrial things, was gradually formed: first, simple objects were expressed by simple words; then general ideas were communicated by appropriate terms. The last efforts of the faculty of language must have been those which affixed a vocabulary to the abstract sciences.

The Welsh nation retain their language until the present day. The majority of the Scotch and Irish people have long abandoned theirs, and have adopted the English. The last has been for centuries the language of the learned and scientific in this kingdom, and the depository of their discoveries and works. *It* is the language which has led the learning and civilization of the empire. The natives of the Principality were therefore, by their own institutions, placed in a disadvantageous position, compared with the inhabitants of the rest of the kingdom, in the race after learning and fame.

Yet, notwithstanding the disadvantages referred to, the Principality has produced names that rank high in the annals of distinction. In poetry we find a Taliesyn, a Dafydd ap Gwilym, and a Williams of Pantycelyn ; in general literature, a Sir William Jones, and Drs. Rhys and Pughe ; in languages, a Giraldus Cambrensis, a Jones, and a Williams ; in natural science, a Pennant ; in law, a Powell, a Richards, and a Kenyon ; and in the terrible art of war, a Syr David Gam, a Picton, and a Nott. These are names, some of which stand at the summit of the walks which they pursued, while the others hold an honourable place in the pages of fame.

It has been often asked, what are the chief characteristics of Welsh literature ? The question, as far as we are aware, has not yet had a complete solution.

Mr. Macaulay has justly observed, ‘Nations, like individuals, first perceive, and then abstract. They advance from particular images to general terms. Hence, the vocabulary of an enlightened society is philosophical—that of a half-civilized people is poetical.’ Without implying that the Welsh people are not as civilized, in the general acceptation of the term, as their neighbours, we still think that their literature is more poetical than philosophic—more descriptive than scientific. The poets of Wales are more numerous than her philosophers or men of science, as their productions are certainly of greater excellence. Her poetry can compete with the best productions of the English or Scottish muse ; and, if it should ever be the glory of the Welsh language (as it is of its classic predecessors of Greece and Rome) to be studied and acquired a century after it shall have ceased to be a living tongue, the toil will be undergone by those alone who would wish to explore the treasures left by her bardic sons.

A love for poetry has characterised the Welsh people from the earliest period. An order of the Druidical priests were bards, and their poetry exercised a potent spell over the multitude. The Welsh chieftains had each his bard, who delighted his lord with songs of love and victory in times of peace, and accompanied him in war. On the latter occasion, the bard’s service was no mean one ; he recited to the army the triumphs of their forefathers on less auspicious days, and incited them to similar deeds. The effect was often magical. Aroused to enthusiasm by the narration of their fathers’ achievements, the army often rushed impetuously to battle, and secured the triumph. But in a season of calamity, did Gray’s bard sing—

‘ On dreary Arvon’s shore they lie.’

We think the two grand characteristics of Welsh poetry are power and pathos. The poetry of Wales may better compare

with that of England in Shakspere's age, than of any later period. There is a license of idea and language allowed in both, which would not be tolerated in a more philosophic and advanced epoch. This is a common remark as applied to the earlier poets of England, and therein consisted the power of their verse. Homer and Shakspere both lived in the earlier ages of civilization, and they are the two monarchs of poetical power. The later poets of England excel in accuracy of conception and beauty of style, in harmonious versification and chasteness of thought; yet they are wanting in all the grander elements of poetry—in all those qualities which inspire the deepest emotions of terror, horror, pity, hatred, and love. The one is beautiful, the other is sublime; the one is pleasing, the other is majestic. As the nation has been advancing in science and the arts, poetry has been declining in sublimity and power. The culture of the understanding weakens the efforts of imagination; the strengthening of the judgment deadens the passions. A people not far advanced in mental attainments delight in those strong masculine pictures of nature and man, which their poets and orators create; while those nations which have reached higher culture would be displeased rather than gratified by such exhibitions, and value more perfect, though less forcible, images—more accurate, though less grand, workmanship. Poetry therefore flourishes most in the earlier ages of society, while later times are dedicated more to philosophical research.

By power in poetry is meant that quality which produces great effect. The aphorism is no less true in morals than physics, that like causes produce like effects. The result is always commensurate with, and similar to, the means which brought it to pass. That poetry, therefore, which is capable of producing great effect has power. This quality eminently distinguishes the poetry of Wales. It is also characteristic of the language; and there is, therefore, a combination of power in the language and ideas of the people of this country. A stranger witnessing the powerful effects of a Welsh oration or sermon, would be perplexed to discover the cause of so much enthusiasm. The explanation we have before given. The language, learning, and ideas of the people, have not yet passed the poetical cycle in the history of nations.

Perhaps the quality, which, beyond all others, characterises the poetry of Wales, is pathos. The Welsh people have always been distinguished for the possession of intense feeling. The same remark is applicable to all the Celtic races. The French and Irish people share the quality in an eminent degree. The Saxon and the Gaelic tribes are more characterised by strength of judgment and power of reasoning, as well as solidity of

character and determination of purpose ; while the Celts are distinguished by more vivid imagination, more brilliant wit, finer taste, and deeper pathos. These constitute the poetical element.

The religious poetry of Wales bears a much larger proportion than any other, and into its channels has the Welsh poet poured his richest gifts. Here he has breathed his divinest song. In chasteness of style, happy illustration, tender pathos, as well as devout feeling, the religious poetry of the Principality much excels any collection in the English language, not excepting that of Watts. But the acknowledged prince in this department is William Williams, of Pantycelyn. His hymns are unapproachable for animated devotion and pathos. Much of their interest is necessarily lost in translation. The following are selected by way of example. We omit the original in deference to the ignorance of our English readers :—

(Translation.)

- ‘ Babel’s waters are so bitter,
There is naught but weeping still,
Zion’s harps, so sweet and tuneful,
Do my heart with rapture fill :
Bring thou us a joyful gathering
From the dread captivity,
And until on Zion’s mountain
Let there be no rest for me.’
- ‘ In this land I am a stranger,
Yonder is my native home,
Far beyond the stormy billows,
Where sweet Canaan’s hillocks gloom ;
Tempests wild from sore temptation
Did my vessel long detain,
Speed, oh ! gentle eastern breezes,
Aid me soon to cross this main.’

- ‘ Had I but the wings of a dove,
To regions afar I’d repair,
To Nebo’s high summit would rove,
And look on a country more fair,
My eyes gazing over the flood,
I’d spend the remainder of life
Beholding the Saviour so good,
Who for sinners expired in strife.’

- ‘ Once I steered through the billows,
On a dark, relentless night,
Stripped of sail—the surge so heinous,
And no refuge within sight.

Strength and skill alike were ended,
 Naught but sinking in the tide,
 While amid the gloom appeared
 Bethlehem's star to be my guide.'

'Fix, O Lord, a tent in Goshen,
 Thither come, and there abide,
 Bow thyself from light celestial,
 And with sinful man reside.
 Dwell in Zion, there continue,
 Where the holy tribes ascend;
 Do not e'er desert thy people,
 Till the world in flames shall end.'

A short account of the most eminent of the earlier bards of Wales may not be uninteresting to our readers, and will form an appropriate supplement to what we have already said.

The first, in point of time and celebrity, was Aneurin. He was the son of a Welsh chieftain, and was born at the commencement of the sixth century. He was early bred to the use of arms, and distinguished himself at the battle of Cattraeth, which was fought between the Welsh and the Saxons, but proved disastrous to the Welsh, and particularly to our bard. He was taken prisoner, and consigned to a dungeon, where he languished a considerable time in chains, but, being rescued by the instrumentality of Cenau, a son of the venerable bard, Llywarch Hen, he retired to South Wales, and took refuge at Cadog's College, at Llancarvan, where he remained many years, and composed his principal poem, 'The Gododin.' This is a production of the martial strain, and is descriptive of the battle of Cattraeth. The death of this poet occurred about the year 570, and was occasioned by a blow from the axe of an assassin.

The greatest of the ancient Welsh bards was Taliesyn. There is some uncertainty respecting the precise time of his birth, but the best accounts place it at the commencement of the sixth century. His early history savours of romance. It is recorded that he was discovered, soon after his birth, in a fishing weir on the coast of Cardigan, belonging to Gwyddno, a petty prince of that country, and was found there in a basket, or coracle, like Moses, by some fishermen, who carried him to Gwyddno, whose only son, Elfin, took him under his protection. Whether this account be true or not, it is certain that Taliesyn was a native of this part of Wales, and enjoyed the friendship and protection of Gwyddno and Elfin. Among his works is a poem entitled 'The Consolation of Elfin,' in which the latter is gratefully eulogized for his patronage of the young bard. After spending some time at the College of Cadog, in South Wales,

where he formed the acquaintance of Aneurin, he is said to have retired to Carnarvonshire, and to have died about the year 570.

The productions of this bard are numerous, and of them about eighty poems remain. They comprise a variety of subjects, but are, for the most part, religious, historical, and elegiac. His creed appears to have been a compound of Druidism and Christianity. Even at this early period, the latter was much cultivated among the Welsh.

We now arrive at an individual as eminent in war as in poetry—Llywarch Hen, or Llywarch the Aged. He was descended from a long line of princes, or military chieftains, who had formerly exercised supreme rule over the whole island. He was early trained to arms; for which he had frequent occasion in the many wars which then occurred between the Welsh and Saxons. We find him, like Aneurin, engaged in the battle of Cattraeth, the fatal result of which drove him to flight. He is supposed to have spent much of his subsequent life at Pengwern, or Shrewsbury, the seat of Cynddylan, then Prince of Powys. He seems to have been afterwards bereft of this refuge, as we find him in his sonnets bewailing his wretched condition and hard fate. He is recorded to have died at a great age, some accounts say 150 years, at Llanvor, near Bala, in Merionethshire; his eleven sons having been previously slain in battle.

Twelve poems, the production of this bard, are extant. Six of them are historical, the others moral and miscellaneous; but all are deeply tinged with the bitterness and melancholy which appear to have formed so large a portion of the venerable bard's own history.

For several centuries, we find no bard of note whose works are extant, until we come to Dafydd ap Gwilym, who has been styled the Petrarch of Wales. He was born at a place called Bro Gynin, in the parish of Llanbadarn-fawr, Cardiganshire, about the year 1340, and was illustriously descended on each line of parentage. After a desultory youth, we find him, at an early age, living at Maesaleg, in Monmouthshire, enjoying the hospitality and friendship of Ivor Hael, a near relative of his father. He appears so far to have won the confidence of his patron, as to have been appointed his steward, and also instructor of his only daughter. A mutual attachment was, however, the consequence of the latter position, which grew to such an extent as to necessitate the separation of teacher and pupil. The young lady was removed to a convent in the island of Anglesey. She was followed by Dafydd, who entered the service of a neighbouring monastery, in a menial capacity, and consoled himself

by composing poetry in praise of his fair one. The suit was unsuccessful. He was afterwards elected chief bard of Glamorgan. His poetical reputation made him a welcome guest at the festivals which, in those days, were very common in the mansions of the Welsh gentry. His latter years were spent in his native parish of Llanbadarn-fawr, where he died about the year 1400. He was buried at Ystrad Flur, in the county of Cardigan ; and a kindred spirit has placed the following lines over his grave :—

(*Translation.*)

'Gwilym, blessed by all the nine,
Sleep'st thou then beneath this tree ;
'Neath this yew, whose foliage fine
Shades alike thy soul and thee.
Mantling yew-tree, he lies near,
Gwilym, Teivi's nightingale ;
And his song too slumbers here,
Tuneless ever through the vale.'

The works of this poet which have reached us are numerous, exceeding 260 poems. They are, for the most part, domestic and pacific ; but the whole are sprightly, figurative, and bold, and are enriched by a vein of tender pathos. There is an excellent translation of his Poems, by A. J. Johnes, published by Hooper, Pall Mall, in 1834.

We have now commemorated the chief of the ancient bards of Wales. Others were, doubtless, their peers, whose productions have not had the good fortune of being rescued from oblivion. In all sublunary affairs, a few only gain the fame and prizes, while the multitude are consigned to obscurity. In the distribution of human rewards, there is often great injustice, and the adage is constantly exemplified, that the race is not to the swift, nor the battle to the strong, but time and chance happeneth to them all.

Of the modern poets of Wales, a host may be named. Among these are Gwilym Ddu, Goronwy Owain, Williams of Pantycelyn, Dewi Wyn, Daniel Ddu, Iolo Morganwg, Gutyn Peris, G. Cawrdaf, Gwallter Mechain, Bardd Nantglyn, and Gwilym Caledfryn. In their effusions may be found passages of sublimity and beauty worthy of comparison with the poetry of any age or country, but the limited prevalence of the language in which they are written, prevents them being known and appreciated as extensively as they deserve. To the Welshman, however, they are precious, and often solace his hours of pain, solitude, or fatigue. Frequently are their strains heard enlivening the cottage of the peasant, and echoing among the hills of Gwalia.

Before concluding, we must glance at the present condition and prospects of the Welsh language.

The two great characteristics of the Welsh language are power and expressiveness. In these particulars it may compete with the original languages, and is superior to any of the derivative tongues. Itself is an original language, perhaps one of the oldest of living European tongues. It may want the artificial arrangement, the finished structure and polish, of many living languages, but in force and expression it transcends most of the old and all the modern tongues.

For some two thousand years this language has been spoken by the Welsh people in this island ; yet, ever since the conquest of the Welsh by the Saxons, the language of the former has been gradually on the wane, while that of the latter has been extending its limits. The declension of the former is as rapid at the present as at any former period, and from the great strides taken by the English language in our own day, with the establishment of railway and other improved means of communication, now connecting and identifying the Principality with the sister country, we prophesy a still more rapid consumption for the Welsh tongue. At no very distant day it may live only in the prose and poetry of the country.

Nor do we think that the extinction of their language would be any very great loss to the inhabitants of Wales. The existence of two languages among the subjects of the same crown, and tributary to the same laws, is an unmixed evil. The division in language effects a division in more important relations. It preserves and fosters the animosity and rancour of different races, perpetuates feud and national strife, and in effect ploughs up the good feeling and friendly intercourse of the inhabitants of the same kingdom. It restricts the social and commercial relations of the people, besides being highly detrimental to the Welsh in depriving them of the advantages exclusively derivable from the possession of an adequate knowledge of the English tongue. The latter is the emporium of the best works and latest discoveries in science and art, besides being the language of the laws and literature of the country, as well as the avenue to distinction, preferment, and power. The Welshman who is conversant only with his vernacular tongue, is, therefore, under great and weighty disadvantages in the prosecution of any of the objects of life. The abolition of that language, therefore, how repugnant soever to the feelings and long-cherished associations of the Welshman, would be to him the greatest boon. It also follows, that its retention obstructs the progress of the inhabitants of the Principality in all the higher developments of civilization. In the spirit of brotherhood and friendship, but with an earnest

wish for their advancement, do we record these, it may be, unpleasant convictions.

The work at the head of this article won a prize at a late Eisteddvod ; the adjudicator being the Ven. Archdeacon Williams, and the donor of the prize, the Prince of Wales, to whom the essay is, by permission of the Queen, dedicated. It appears to be a careful compilation, and clearly written, although wanting in philosophical analysis and poetical sympathies.

ART. VI.—*The Martyrs of Carthage. ‘A Tale of the Times of Old.’*

By Mrs. J. B. Webb, Author of ‘Naomi Julamerk.’ Two Vols.
London : Bentley.

It would be faint and superfluous praise to say of one of Mrs. Webb’s stories, that its general tendency is salutary and elevating. In religious fiction she seems to have found the sphere for which she was expressly designed. She does that with felicity and success in which many have so failed as might well lead judicious thinkers to regard fictitious narrative as a wholly unsuitable vehicle for religious truth, had not the Great Teacher stamped legitimacy upon it by his own example. But our author is not more happy, and does not better consult the peculiar tendencies of her mind, in the selection of this particular walk of literature, than in the choice of the historical epochs which her fictions are designed to illustrate. She has an almost classic sympathy with the men and manners of that pregnant era in which Christianity rose upon the nations ; and it is no small praise to say that some of her delineations of the Roman mind, as modified by the reception of the gospel, remind us of the tenderness and taste which adorn the pages of Mr. Lockhart’s ‘Valerius.’

The epoch of the events described in the ‘Martyrs of Carthage,’ is the reign of Severus, embracing the close of the second and the commencement of the third century. Its scenes are laid amidst the ruins of Carthage, the solitudes of African exile, and the splendours of imperial Rome. The spread of the contagious heresy, confined to no age, sex, or rank, affords a fertile field for the writer’s powers of invention and description. The persecuted and exiled Roman matron—the undetected saint, at the head of the Praetorian guards, on the magisterial bench, in charge of the

prison, or in the humble condition of a domestic slave—the subterranean church, and the midnight sacraments—combine to give a pensive interest to the tale, and to soften the heart for the reception of its moral.

The following is a general outline of the narrative.

In the Roman colony which had been planted amidst the ruins of ancient Carthage, there was, as in most of the cities of Northern Africa, a considerable number of Christian believers; this number was much increased during the first years of the reign of the Roman Emperor Severus, by the cessation of that persecution which had heretofore restricted the publicity of Christian teaching. On the return of the emperor from the Parthian war, he spent a short time at Alexandria, and finding that here and elsewhere the Christian religion was rapidly spreading, he sanctioned the magistrates in a vigorous effort for its suppression, and left a corps of his soldiers to strengthen the hands of the civil power. The commander of this body was the son of the chief magistrate of Carthage, and was the more impatient of the delay thus occasioned to his return, from having left his newly married wife in that city four years before, who had given birth to a daughter a few months after his departure. During this interval, Marcella, a young Christian lady, was her frequent companion, and from her she first became acquainted with those doctrines and documents which she had been accustomed to regard with a vague and uninformed disgust. A series of conversations, which, of themselves, stamp a high value on the book, enlightened her ignorance, met her difficulties, and instrumentally subdued her heart. Meanwhile, the letters of her husband from Alexandria distressed her as much by the details of his effective persecution of the Church in that city, as they delighted her by the intelligence of his speedy return. At length he arrived on the very evening on which she had assumed the profession of Christianity by baptism.

It was impossible that the mighty change which had passed upon her could long be concealed, consistently with fidelity on her part; and a grand entertainment in celebration of the return of the young hero, Marcus, led to a sudden *dénouement*. One of the ceremonies connected with this festive occasion was, a solemn sacrifice to Minerva; and in this it devolved on Vivia, the Christian convert, to take a leading part. At this crisis of her Christian profession she was found faithful, and to the consternation of husband, relatives, and guests, she openly denounced idolatry, and professed her faith in the Saviour. The result was, the passionate repudiation of her by her husband, and the immediate apprehension of herself and her little daughter, who had thus early embraced the faith. Both were arraigned before

the civil tribunal, where, having witnessed a good confession, and shown themselves invulnerable alike to private influence and to the threat of torture and death, they were sentenced to banishment, the mildest punishment which the law allowed.

The place of her exile was an obscure village on the African coast. Here, after many weary months, her solitude was still further deepened by the death of her only child, a part of the narrative which Mrs. Webb has elaborated with great pathos and beauty. At length Pagan bloodthirstiness itself began to be sated. The trials and executions constituted the chief business of magistrates, and still the blood of the martyrs was but the seed of the Church. At length the chief magistrate of Carthage resolved to send an embassy to his imperial master at Rome, representing that this fierce persecution was rapidly depriving the community of its most blameless and useful members, without, in the slightest degree, retarding the spread of the new religion. Marcus, as being favourably known to the Emperor, by his services in the Asiatic campaign, was appointed as the bearer of these representations, and no sooner arrived at the capital than he was promoted to a post of command in the Praetorian guards.

It was on the evening after a Roman festival that Marcus, while returning home, encountered a drunken party of Praetorian soldiers, pursuing a small band of humbly attired persons, who had just gained admission to a house, which was hastily opened to receive them; the violence of the assailants soon forced the doors of the dwelling, and their vindictive curses apprised the young soldier that the Christians were the victims of their resentment. The heroic gentleness with which an aged pastor and his little flock resigned themselves to their murderous assailants, powerfully affected the mind of Marcus, and discovering himself as a Praetorian officer, he speedily relieved the unarmed party of their invaders. This adventure led to further intercourse, which resulted in the conversion of the Praetorian. Having obtained from the Emperor an edict staying the sanguinary persecution of his Christian subjects, Marcus returned to Africa, and speedily sought the scene of his wife's exile. They returned together to Carthage, and for many years enjoyed the blessings of their religion without the pains of persecution. At length, however, the spirit of antichristian tyranny revived with redoubled fury, and Marcus and Vivia were amongst the first to seal with their blood the profession of their faith.

Such are the principal materials of a story which the author has made at once interesting, pathetic, and instructive.

Amidst much that has excited our interest and claimed a
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laudatory tribute in this tale, there are, nevertheless, a few things which will occasion to many readers both surprise and regret. The first defect is one of taste. It has been held, and perhaps justly, by some of the ancients who philosophized upon tragedy, that it was adapted to purify the heart by the emotions of terror and pity; but the earlier masters of dramatic art, with the singular exception, indeed, of Seneca, well knew that this effect was destroyed by too coarse and pungent an appeal to such emotions. Hence, Horace wisely banishes from the stage the visible representation of deeds of horror and bloodshed:—

‘ Ne pueros coram populo Medea trucidet;
Aut humana palam coquat exta nefarius Atreus.’

Epist. ad Pisones, ver. 185, 186.

This obvious canon of literary propriety Mrs. Webb most flagrantly violates. She brings before the reader all the horrifying details of the rack and the stake, the foot-screw and the boiling pitch. Our author could scarcely have committed a mistake which would indicate a slighter acquaintance with the more latent mechanism of the human mind. We look for such revolting descriptions in the pages of Eugene Sue, and the scarcely less demoralizing revelations of Mr. Harrison Ainsworth; but certainly not where the subject is religion, and the writer a Christian lady. That which it would injure the heart to witness, inflicts alike injury when brought before the imagination—and that in proportion to the vividness with which it is represented and realized. Nor are the moral sentiments more soiled and tainted by familiarity with the ultimate excesses of brutality and turpitude, than are the tender emotions when harrowed by the presentation, with a sickening particularity of detail, of the last extremities of human anguish.

But the work before us is chargeable with some defects of a graver kind. Mrs. Webb continually indicates so enlightened an appreciation of genuine spiritual religion, that we are not a little surprised at some passages which have, we hope accidentally, fallen from her pen. For example, we cannot well reconcile with any system of morals with which we are acquainted such a passage as the following:—‘ Cruelty and ambition were the besetting sins of Severus; and his conduct towards his vanquished rivals, Albinus and Niger, has left a stain on his memory that all his conquests and all his talents can never wipe out.’* We never supposed that a man’s talents had any power to atone for his vices; and as to his conquests expiating his cruelty and injustice, a moment’s reflection might have taught our author

* Vol. ii. p. 10.

that it is when acclimatized by conquest that these vices attain their rankest and most gigantic growth.

With the notions we had been led to entertain of Mrs. Webb's theological views, we were surprised that the following stanzas, from the pen of Mr. Keble, had crept into her pages :—

' What sparkles in that lurid flood
Is water, by gross mortals eyed ;
But seen by faith, 'tis blood
Out of a dear Friend's side.

A few calm words of faith and prayer,
A few bright drops of holy dew,
Shall work a wonder there
Earth's charmers never knew.'—Vol. i. p. 116.

We are surprised, we say, that, with her amount of knowledge of the religion of Christ, she can tolerate even a tasteful translation (for it is nothing more) of the Popish mummery, which occurs in the service of the Anglican Church, for the public reception of infants who have been privately baptized. 'Because,' the clergyman is instructed to say, 'some things essential to this sacrament may happen to be omitted, through fear or haste, in such times of extremity, therefore I demand further of you, With what *matter* was this child baptized? With what *words* was this child baptized? And,' adds the rubric, 'if the minister shall find, by the answers of such as bring the child, that all things were *done as they ought to be*, (!) then shall not he christen the child again, but shall receive him as one of the flock of true Christian people, saying thus, "I certify you that in this case all is well done, and according unto due order, concerning the baptizing of this child, who, being born in original sin and in the wrath of God, is now, by the laver of regeneration in baptism, received into the number of the children of God and heirs of everlasting life."'

Mrs. Webb prepares us in her preface to expect some little irregularities in her performance. 'The principal facts and events,' she says, 'which are related in this story are for the most part historical; and the trials and sufferings of the Christians are authentic. A few trifling anachronisms have, however, been wilfully committed.' The reader will judge whether such an explanation justifies the following description of a scene in a pure and persecuted Apostolic Church at the close of the second century :—' The appointed hour arrived, and Marcus and Vivia, attended by Camillus and the nurse and infant, proceeded to the church, where they found the sponsors and the rest of the congregation already assembled. The usual evening service was performed, and the baptismal ceremonies commenced. In

the name of the infant the sponsors pronounced *the customary renunciations and vows*, and then the requisite immersion took place.' If this is what our author calls 'a trifling anachronism,' we must take most serious exception against her application of terms. An anachronism, indeed, it is; but it is also something much worse. In representing the manner in which the peculiar truths of the Christian religion were pressed on the convictions of heathen inquirers, the writer evinces no inconsiderable knowledge both of the letter and the application of Scripture. Why, then, has she not adduced the passages of Scripture by which intelligent Romans were reconciled to the hideous absurdity of godfathers and godmothers? Why not mention some one passage which any ingenuity may torture into the remotest apparent reference to the practice? We confess that when, after admiring in these touching characters the noblest candidates for the crown of martyrdom, we found them represented as assisting at this wretched caricature of a sacrament, we felt the force of true bathos, the abrupt transition from the sublime to the ridiculous. With all her excellences, this lady has evidently yet to learn the truth, revealed alike by the study of history and the study of ourselves, that the human mind never was, and never can be, conquered by a system of faith that is built on the ruins of reason.

ART. VII.—*A History of the Romans under the Empire.* By Charles Merivale, B.D., late Fellow of St. John's College, Cambridge. Vols. I. and II. London: Longman. 1850.

MR. MERIVALE is already known to the public, by a meritorious volume on the Augustan age, published in a very unpretending form, by a Society, whose work, in favour of Useful Knowledge, has reached its goal. He had intended to write the whole history of Rome under the Empire, uniform with his first volume; but being arrested, it seems, by the dissolution of the Society, he has been led to publish his history in handsomer volumes, worthy of the subject. Nevertheless, some readers will be disappointed to find that the 1083 pages before us, only carry us down to the death of Julius Cæsar; that is, do not even touch upon the real commencement of the Empire. The best part of another volume will probably be requisite before we reach the battle of Actium, from which his former work rightly started. Yet, if the execution of these volumes had satisfied our expectation and our desires,

we should not think of objecting to the title. We find it impossible to include in one article all that we need to say on the subject; we propose, therefore, to reserve the career and character of Cæsar to another occasion, and at present shall confine ourselves to other persons and things.

The period here treated is one of deep interest, on which we have very numerous and full accounts, and in which a larger number of individual characters are fully developed to our knowledge, than in any other part of the Roman history, earlier or later. So abundant, indeed, is our information, that there might seem no room for diversity of opinion as to the real character of the principal actors. Do we indeed carry back party zeal into antiquity, and quarrel about Cato, Cæsar, and Pompeius, as about Peel, Russell, and Cobden? It is perplexing to answer. Respecting, as we do, Mr. Merivale's erudition and talents, it has been a painful mortification to us (especially after the high expectation which his former volume excited) to find ourselves in constant and irreconcileable collision with him as to the whole moral colouring of the history; and yet we do not think him either fanatically wilful, as many Germans are, nor deficient in desire to observe historical justice. Having undertaken to review his book, we must not shrink from the unpleasant task of going into details where we think him wrong, although this is an inexhaustible topic; for we should need to re-write a goodly proportion of his pages, before we could exterminate all that we think unjust, unwise, or untrue; but he himself would desire us to oppose his views unceremoniously, provided that we do this only as lovers of truth. We presume that our opposition to him must, fundamentally, depend on a different value assigned to different authorities. It appears to us, that he believes far too readily Caesar's own representations of his own case, and Cicero's off-hand remarks as to men's motives; that he gives too much credit to Dion Cassius, and far too little to Plutarch; and neglects to estimate the moral character of the actors by the deliberate aim of their lives.

Dion Cassius wrote the history of Rome in the Greek language, and his work in this whole period is complete. Its value to us is very great; *first*, because of its continuity and its chronological form, which furnish to us the framework into which we may interpolate all the scattered knowledge which we pick up from miscellaneous sources; *secondly*, because Dion wrote when the old constitution was forgotten by the public, but when documents abounded by means of which it could be fully ascertained; and as he had a clear head and an insight into the great importance of constitutional history, he explains to us in detail numerous things to which Cicero would barely have alluded. Appian does

the same service for us ; but more sparingly, and, it seems, with less intelligence. Nevertheless, in regard to men's moral characters, Dion Cassius is very far from being trustworthy. Whether from misanthropy, or from a gloomy philosophy, or from an oppressive sense that Rome was sinking deeper and deeper into a gulf of irremediable ruin, he takes the blackest interpretation of human conduct. From Dion, and from no one else, has Niebuhr learned the numerous assassinations and other dreadful crimes inflicted by the old patricians. As to the history before us, most of the actors seem worse in Dion's pages than anywhere else ; as, indeed, even Nero's badness is less relieved in Dion than in Tacitus. Professor Long has said, rather sharply, in one of his notes to Plutarch, that when Dion believes a man innocent, we may be pretty well sure he was really innocent ; since Dion believes everything for the worst, about every body. It has been observed, that he is peculiarly suspicious of all pretenders to public virtue, and therefore is more unfavourable to republicans like Cicero or Pompeius, than to a professed self-seeker like Cæsar. Yet the only* occasion on which we have remarked Mr. Merivale to doubt the full guilt attributed by Dion, is, in regard to Cæsar's execution of the brave Gaulish chieftain, Vercingetorix, after six years' imprisonment ; an execution which not one Roman general in a hundred would have blamed.

Plutarch is a writer of exceedingly variable merit. He did not understand the difference of legendary and historical times, but writes with the same fluent assurance concerning Theseus and Romulus, as concerning Cicero and Galba. Moreover, he is careless as to the minutiae of chronology. He follows the connexion of subjects, often neglecting to notice the exact time ; and, in consequence of this habit, sometimes slips into errors of time himself. On these accounts, he is quite untrustworthy as to the obscurer periods of history, and has been greatly depreciated by many reputable modern writers. Yet in fact, so long as he is dealing with persons concerning whom there was abundant contemporary evidence accessible to him, no ancient author is more valuable to us. His end in view was eminently moral. He did not seek to produce splendid pictures of external greatness or beauty, or narratives of nations grouped into masses, or philosophic generalizations concerning history ; but, on the contrary, he concerned himself with individual character, and endeavoured to ascertain and express this with peculiar accuracy.

* Yes : twice more he disbelieves Dion, when he speaks against Cæsar : vol. ii. pp. 203, 380. In the last case, Mr. Merivale coolly says, 'the story itself will warn the reader of the historian's *inaccuracy!*' i.e., Cæsar cannot have put to death his kinsman Lucius, who persevered in hostility.

Where, by reason of the sufficiency of documents, this mark was within the reach of human criticism, Plutarch's temperament admirably suited him to the undertaking. In him we see mildness of judgment, soundness of heart, total freedom from any bias of political party or national prejudice, warm sympathy with all that was good in any one, and an inability to be carried into such enthusiastic love for any historical character as to be blind to its defects. We have from him lives of so many eminent persons of this era, that they make up a little history of it; namely, Marius, Sulla, Lucullus, Sertorius, Crassus, Pompeius, Cicero, Cato, M. Brutus, M. Antonius; and without claiming that all other writers must give way to Plutarch, in regard to the moral estimate to be formed of the characters, we may certainly demand that a historian who widely deviates from Plutarch's estimate shall be careful to assign convincing reasons.

A third writer, of first-rate importance for these times, but much more difficult to use aright, is Cicero. His orations, like all other speeches of advocates, were not composed with a view to truth, except perhaps in those against Verres and Catilina; they are often mere pleadings to obtain acquittal—invectives or panegyrics—which need careful criticism. His private letters are highly valuable for special facts; but, in their colouring and ascription of motives, they are untrustworthy, from the writer's intense susceptibility; moreover, they are the impressions of the moment, which may have been presently corrected by fuller knowledge.

Suetonius has written the lives of the Cæsars, of which the first only has place in the volumes before us. His life of Julius Cæsar is not marked by anything that can be called *spite*. He tells his great qualities in strong, unshrinking language, and is equally downright in declaring his vices and crimes, but without dwelling or moralizing on them. But Suetonius was undoubtedly a gossip, and loved to retail anecdotes; for which reason Mr. Merivale seems to think he must discard the worst imputations which he makes against Cæsar, without noticing their extraordinarily strong confirmations.

Other writers, of still less importance to us, are Appian (who is here generally superseded by Dion); Velleius Paterculus, who, as a courtier of Tiberius Cæsar, dares not, or will not, speak so as to offend the imperial dynasty; Asconius Pedianus, a most accurate and learned writer, but whose information is generally fragmentary; lastly, Cæsar himself, or his substitute at the pen, whether Hirtius or Oppius, all of whom write with the express object of making out a case for Cæsar, and perpetually display disingenuous art or distortion of view. Mr. Merivale, however, seems blind to this. Lucan also, though

a poet, may be mentioned among the sources of the history. Out of all these, to elaborate a single continuous narrative, as regards the dry outline of fact, was at first a problem of much diligence, which, however, has been encountered and achieved long since. But far more than this was done by Arnold, in his juvenile writings, published originally in the 'Encyclopædia Metropolitana,' and since reprinted, in two volumes, with the title of the 'Later Roman Commonwealth.' We had no idea how hard it is to surpass this work, until we read it side by side with Mr. Merivale's, which certainly seems to us immensely inferior to it. Not merely in discrimination of authority, and consequent justness of view concerning men, motives, and aims—which is the cardinal point of history—but in wisdom of reflection, energy of thought, definiteness and consistency of view, soundness in judging when to expand and when to contract the narrative, and power of impressing the imagination—Arnold is, in our judgment, by far the superior. In comparison with him, Mr. Merivale is tame, weak, and dry; nay, he seems often to be trying to say something grand and wise, but in vain. We pen this sentence with regret; for it is easy to a reviewer to make the charge. In order, therefore, to diminish its force, if unjust, we will at once illustrate it by the very last passage we were reading. It is in vol. ii. p. 89; where, after narrating how Pompeius was taken by surprise in Italy by Cæsar's invasion, the author adds:—

'Such is the infatuation *which seems generally to attend* the counsels of a proud and dignified aristocracy assailed by a revolutionary leader. Wrapped in their own tranquil composure, *they fail to take account of* the contagiousness of an aggressive and lawless spirit. *They never make due allowance* for the restlessness and excitability of troops who have been debauched by a long career of plunder and power. *They calculate* on the mere instruments of a selfish leader being at last dissatisfied with their own unequal share in the combination, and on their willingness to secure their gains in turning against him. But the genius of the successful adventurer is chiefly shown in the ascendancy he gains over his adherents, &c. . . .'

The attempt to generalize seems to us here quite gratuitous, and almost absurd. Do then 'revolutionary leaders' *generally succeed against* 'proud and dignified aristocracies?' The blindness of Pompeius was occasioned *partly* by the false information which Appius Claudius (who of all men seemed likely to know the truth), brought him as to the disaffection of Cæsar's troops; and *partly* by the enthusiastic movement of all Italy towards Pompeius during his sickness. Was then this blindness ascribable to certain tendencies inherent in aristocracies? Or is it true, that Sulla, at the head of a 'proud and dignified aristocracy,'

proved less able to calculate the temper of debauched soldiers than the 'revolutionary leader' Marius? Or will Mr. Merivale tell us, that in that case Sulla was the 'revolutionary leader?' Altogether, the sentiments are out of place. Cato and the Marcelli, Lentulus and Scipio, did *not* 'fail to take account of the contagiousness of an aggressive and lawless spirit.' On the contrary, Cato for eleven years back had distinctly seen the whole danger, and spoke out his convictions; and for three years past the whole senate had been fearfully alive to the truth; but the question then was, *how, without civil war*, to force Cæsar to give up his armies, which rested on the ample basis of France, Lombardy, and Illyricum, and needed no supplies from without. In trying to solve this impossible problem, the aristocracy was exceedingly divided in opinion, no doubt; but certainly it was not infatuated. At an earlier period, indeed, it was shortsighted as to Cæsar's ultimate designs. That he could be planning anything so wicked as the annihilation of the republic, and the setting himself up as a despot on its ruins, they utterly refused to believe. No Roman had ever formed so impious and unnatural a scheme. Neither Marius, nor Sulla, nor Cinna, nor Carbo, dreamed of it; even as to Catilina this was not believed. Such usurpers were looked on as passing hurricanes to the State, not as a permanent destruction to it, leaving nothing but Oriental despotism. The aristocracy *were* shortsighted in not seeing what Cæsar's prætorship and consulship portended; yet Cæsar in turn was equally dull in not discerning that life to be held at his mercy would be unendurable to his own officers and friends; who, when at last they comprehended his unprecedented treason to every thing that Roman hearts held dear, slew him in cold blood, and believed their deed to be eminently virtuous.

Perhaps from giving too absolute attention to Dion's colouring, Mr. Merivale appears to us to overdraw the unrelieved wickedness of the Roman community. This we will illustrate in two important matters: as to the *judicial trials*, and as to *foreign wars*.

Undoubtedly in Rome, as at Athens, the juryman thought he was at liberty to exercise (what we call) the *royal* prerogative of mercy in all political trials. Just as duelling has been inveterately tolerated in our practical code, though our theoretic code forbids it; so at Rome and Athens appeal to the compassion of a jury, by weeping relatives and other moving sights, was obstinately retained. But to admit this,—to admit, moreover, that powerful and wealthy criminals generally escaped, by the joint influence of skilful advocacy, favour, intimidation, and corruption, is *not* to admit that there was no care for justice at all. Indeed, from a phenomenon of Cato's life the contrary inference

may be drawn. Cato, we learn, was a great puzzle to guilty men, when he was on a jury ; for if the accused retained Cato as a juror, Cato influenced the rest to his condemnation ; but if he objected to Cato's name, it was regarded by the jury as a proof that he was conscious of guilt ; since Cato was notoriously so fair, that no innocent man had anything to fear from him. Hence the jury were supposed likely to condemn the culprit.—This certainly implies, that the jurors meant well on the whole, but were apt to be misled by the cleverness of the advocate, unless they had a vigorous, clear, and impartial mind, like Cato's, to guide them through the tangle of evidence.

The celebrated case of Milo is detailed with great fulness and accuracy by Asconius. He was condemned, in a picked jury of exemplary reputation, by a majority of 38 against 13, because it was ascertained that, though Clodius had been the assailant, and Milo unprepared, yet, after Clodius was severely wounded, Milo despatched him, under the idea that he could now safely venture upon it. Yet the Cæsarians, to throw odium on Pompeius, pretended that it was his overwhelming power, not Milo's own guilt, which led to the sentence ; and Mr. Merivale propagates this gratuitous scandal in his second volume (p. 49*), after giving the other natural and sufficient narrative in his first.

In the trials of Gabinius—whatever money was spent in bribery—there is nothing to suggest that the verdicts were not such as the very best juries would have given. He was first impeached for *majestas*, or treason—an antiquated charge, which every jury would have been slow to affirm. He replied, that the act which was impeached (viz., his restoration of King Ptolemy) was for the benefit of the State, was necessary against the fleet of Archelaus and the pirates, and justifiable by a certain law. Roman officers were accustomed to exercise so large discretion, that we cannot be surprised at his acquittal by a narrow majority. In a second trial he was accused of embezzlement, and was condemned, with great decisiveness and by a large majority, in spite of the utmost exertions of Pompeius and the eloquence of Cicero. This appears, *prima facie*, to be creditable to the juries. But Dion says, that Gabinius's first acquittal had exhausted his power of bribing ; so, in the second,

* 'Pompeius persuaded his friends that the desertion of Milo, of whose popularity with his party and unreserved devotion to them he was jealous, was a necessary sacrifice to appearances.' Then, in a foot-note :—'Pompeius pretended to believe that Milo had plotted against his life.'—Ascon. in Mil. 67. Velleius, ii. 47: 'Milonem reum non magis invidia facti, quam Pompeii damnavit voluntas.' This, however, is only a party-surmise ; and Asconius does not blame Pompeius, but leaves the whole alleged plot in its own mystery.

the jury had no motive supplied to them adequate to resist the popular outcry. Mr. Merivale softens this, but still leaves the juries in discredit.

In regard to *wars*, the Romans had a crooked and superstitious, yet a deeply-seated, conscientiousness. From the early times of the monarchy, war was proclaimed with religious ceremonies by the heralds-at-arms, through their mouthpiece, the *pater patratus*; and religion forbade the war unless there had been a valid provocation. The rule was often kept to the letter, and most treacherously violated in the substance; nevertheless, unless the Romans had a plausible pretext, their religious horror was deeply excited at commencing an aggressive war. Several instances of this occur, which Mr. Merivale seems to us but partially to understand.

The war of Gabinius against Egypt was just now alluded to. It was undertaken to restore an oppressive king, who had been driven out by his subjects—a quarrel with which the Romans had no rightful concern. The conscience of the nation was offended at the first mention of it; so that when the tribune, Caius Cato, brought to the notice of the people some Sibylline versicles (probably fabricated for the occasion), in which the Romans were ordered to receive with friendship a suppliant Egyptian king, but *not* to give him military aid, all Rome was deeply agitated—nor did the Senate venture to breathe a suspicion against the genuineness of the sacred utterance. This is not to be confounded with vulgar and unmeaning superstition. The people could not have been thus affected, unless a deep and moral cause had pre-existed. From wholly omitting to notice this, Mr. Merivale gives a superficial and uninstructive view of the entire transaction, as mere squabbling for office and empty folly.

Again, the war of Crassus against the Parthians was every way gratuitous. No cause of war existed, no war had been declared; yet it was notorious that he was leaving Rome with the fixed intention of engaging in it. Hence the deep and bitter feeling spread among the people. Hence the awful imprecations on his undertaking, by the half-fanatical tribune Ateius. But Mr. Merivale here, as in the former case, can see nothing but political party and mean personalities.

Lastly, the attack made by Cato in the Senate upon Cæsar, for his dreadful massacre* of some German tribes, is regarded by Mr. Merivale as an ‘extravagant misrepresentation of justice,’

* Plutarch (*Cato Utic.* 51) says, that ‘Cæsar appeared to have destroyed 300,000 persons *in time of truce*.’ In *Cæsar*, 22, he reckons the Germans as 400,000, and notices that Cæsar casts on *them* the charge of treachery. Mr. Merivale *infers from Cæsar's narrative the truth of Cæsar's representation!*

and a mark that Cato was 'blinded by political animosity.' Canusius (according to Plutarch) related that, 'when the Senate was decreeing feasts and sacrifices for the victory, Cato gave it as his opinion, that they ought to deliver up Cæsar to the barbarians, in order to clear the state from the guilt of perfidy, and turn the curse upon the guilty person.' There is no ground for questioning that this was Cato's deliberate judgment; and so eminently fair a judge was he, that in all probability he was right, and Cæsar *had* committed a gross violation of received national law. Why should a historian regard no motive but 'bitterness' and 'political animosity' as possible? If other Romans had no conscience, will he not admit that Cato had one? Moreover, Plutarch (our sole authority for this fact) despatches it in the single sentence above quoted. It does not appear that Cato did more than barely utter this opinion; but Merivale leaves the reader with the impression that he made a solemn effort to carry it into execution.

One who does not rightly understand the view taken by the Romans of the liberty of *advocacy*, cannot judge fairly many of the characters in this history. A future age will, perhaps, look back with amazement on our English morality, which supposes the advocacy of a bad cause to be justified by the acceptance of money. Such was not the Roman view. A fee for advocacy was essentially dishonourable with all strict moralists, and was forbidden by a well-known law (*Cincia Lex de Muneribus*). But to gratify political hostility or political friendship, was with them an honourable ground for accusing or defending, with no greater regard to the moral merits of the case than is felt by an English barrister. To overlook this, and to judge of Cicero (for instance) by the English rule of morality, is unfair. We must either judge *him* by a Roman rule, and Englishmen by the English rule, or else we must judge them all by a more severe abstract law; not condemn him by our own conventionality. From this point of view Cicero's defence of Gabinius is to be regarded. His great fear was, lest he should be thought to have been won by Gabinius's money. Considering what had been Gabinius's personal offences against Cicero, and Cicero's public affronts to him in retaliation, to compromise such an enmity for money appeared an eternal disgrace. But to do this as an act of friendship* to Pompeius (if he could but obtain belief that this was the motive), was not disgraceful. So as to his defence of Vatinius, a man whom he despised and disliked. He puts it on the ground, on the one hand, that Pompeius earnestly desired

* Merivale derides this motive; but Plutarch speaks so strongly of the difficulty of refusing a request to Pompeius, that it is easy to understand the power of his entreaty to so susceptible a mind as Cicero's.

it; on the other, that, since various noble persons chose to foster P. Clodius to *his* vexation, he found it convenient to foster P. Vatinius to *their* vexation. As to his having praised Vatinius, he replies to Lentulus (i. 9), ‘Remember to what sort of persons *you* have sent praise from the ends of the earth.’ If, indeed, Cicero had defended *Catilina*, it would have been abusing the Roman advocate’s license unendurably; but at most this was a passing thought, and it is not certain that the letter is genuine* which contains it. Mr. Merivale is more favourable on the whole to Cicero than to any one else but Catilina and Cæsar; yet, while intending to be fair, he seems to us often to fail of doing him justice.

Peculiarly does he seem to have mistaken the nature of Fonteius’s cause, for upholding which he vehemently condemns Cicero:—

‘Fonteius continued to exercise the functions of governor, and organized throughout the country (Narbonne), a system of tyranny which may be sufficiently appreciated, even from the pleadings of Cicero in its defence. *The orator makes no attempt to refute the charges of avarice and extortion brought against his client, otherwise than by contemptuously rejecting the credibility of any testimony of a Gaul against a Roman.* Cicero’s speech is, indeed, a more instructive exposition of the horrors of provincial suffering than any detail of particular charges could be. The contumelious indifference which it breathes to the rights of a foreign subject, implies much more than a consciousness of the guilt of the accused. It shows how frightfully the mind, even of a philosopher, could be warped by national prejudice and the pride of dominion,’ &c.—Vol. i. p. 241.

We rejoice, and sympathize, in the manly and humane spirit which has dictated this invective; yet we do not think it is rightly directed against Cicero. Fonteius appears to us to have been oppressive, not for his own gains or passions, but solely in the public service. The times were hard: Sertorius had driven Pompeius to winter in Gaul: many of the towns there had previously been in Sertorius’s interest, and had been reduced by Pompeius with dreadful slaughter of the Gauls (*Gallorum inter-*

* The letter is, *Ad Atticum*, i. 2. But it contains anachronisms. It is dated from the consulship of Cæsar and Figulus (B.C. 64), though the trial of Catiline was begun and ended in the consulship of Torquatus (B.C. 65). It ends by bidding Atticus to ‘be at Rome in January,’ to aid in his canvass; viz., for the next midsummer election. This sounds unnatural, if he wrote in January, as he must have done. His mention of Catiline as *his competitor*, which he could not be until he was acquitted, is also suspicious. Mr. Dyer, in vol. iii. p. 60, of the ‘Classical Museum,’ rejects the whole letter as spurious.

*necione) :—*Mr. Merivale himself notices these facts. The province, already exhausted, had to maintain a great army through the winter, and probably to refit it for the next campaign. This could not be done without severe pressure on the people, and Fonteius, as governor, had to give the official directions. For many arbitrary and violent proceedings the Gauls accused him in Rome ; but Cicero and Pompeius, and all other Romans, felt it cruel to visit on Fonteius the injustice of which Rome had reaped the benefit, and which was (if a crime) strictly a national crime. Accordingly, all the Romans and Roman colonies in the province gave high praise to Fonteius ; and Cicero asks, *whether he can be really guilty, when only Gauls accuse him*, and all Romans defend him. (This has been misunderstood by Mr. Merivale.) We should compare the trial of Fonteius to that of Warren Hastings. A Gaulish tribunal might have justly condemned the former, an Indian tribunal the latter : but for Rome to punish Fonteius, or Britain Warren Hastings, would have been hypocrisy and cruelty, alike useless and absurd. As to the remark, that Cicero does not try to refute certain charges, the speech which we have is only a fragment, so that no argument from omission is valid.

Cicero's first great enemy, Catilina, has found an advocate in Professor Drumann. Mr. Merivale does not go so far, yet he evidently is desirous of lightening his case. The argument stands thus. *Cicero* is not to be believed, for he was Catilina's enemy ; nor *Sallustius*, for he likes to revile the aristocracy ; nor *any later writers*, for they probably drew from these two sources: hence, we have no evidence adequate to convince us of facts so startling as those deposed concerning Catilina.—But such incredulity is quite gratuitous. It is a certain fact, that Catilina organized a formidable army of most desperate men, which inflicted immense slaughter before it could be destroyed. It is also certain that eighteen or nineteen years before, he was a ruthless murderer in the times of Lucius Sulla ; and that at this time he was bankrupt in fortune and reputation. What improbability then is there in the plot ascribed to him ? We see none: but let us hear Mr. Merivale :—

‘ We must acknowledge that the character of Sallustius’s mind, as disclosed in his narrative, was totally deficient in any deep insight into the views and motives of his contemporaries. . . . While the stains upon his own character made him feel a base pleasure in exposing the vices of the times, and especially of the class which had declared him unworthy of its countenance, the sketch which he has given us is remarkable chiefly for its impotent display of events without causes, the worthlessness of which, as a historical monument, is scarcely disguised

by the terseness of its diction, and the brilliancy of its imagery.* . . . ‘It is certainly a reasonable objection to the view that Cicero gives us of the imminence of a revolution, that he represents his enemy as *too notorious a villain to be really dangerous to any constituted government.*’—*Ib.* p. 87.

Mr. Merivale, nevertheless, believes that the danger *was* really great, but that the vices of Catilina are overdrawn.

If so, if Sallustius gives us no adequate causes of danger, how does this solution furnish us with new causes? Whether Catilina was a little more or a little less vicious, seems to be politically unimportant. In unchastity he is not said to have exceeded Cæsar or Sulla, or, perhaps, even P. Clodius. In cold-blooded cruelty we need not suppose him worse than Sulla or either of the Marii, or than Damasippus, Cinna, or Carbo. In spending money, he is allowed to have been as open-handed as Cæsar, and in bravery he was unsurpassed. Altogether, we find nothing here to move suspicion. As to his being ‘dangerous to a *constituted* government,’ there is fallacy in the vague epithet *constituted*. The existing government at Rome was founded on proscription and massacre. The sons of the proscribed were still in exile—their adherents and friends were numerous. The men who had been ejected from their lands to make way for Sulla’s legions, were a large mass of reactionaries; and the legionaries themselves, though a large part were now old men, having sold their farms and spent the proceeds, wanted a new revolution to enrich them. How then can Mr. Merivale say that Sallustius displays ‘events without causes?’ Finally, it is perfectly gratuitous in him to assume, that all the later writers drew from Sallustius or Cicero. They must have had abundant documents before them; yet, one and all, they entirely agree concerning Catilina, his party and his plot. There is no character in Roman history concerning whom there is a more complete unanimity. Nor can we see anything in Sallustius’s *position* to tempt him to unfairness. As a fierce partisan of Clodius, and an officer of Cæsar, he might, on the contrary, have been led to disparage Cicero, and lighten the crimes of Catilina; especially as Clodius had compromised with Catilina after impeaching him, and Cæsar gave abundant proof of sympathy with the Catilinarians. For these reasons, the evidence of Sallustius against Catilina seems to us peculiarly decisive.

We fear that we shall seem contentious in avowing, that, except perhaps Q. Catulus, there is not a single leading political

* It would never occur to us to ascribe to Sallust ‘brilliancy of imagery.’ Mr. Merivale afterwards speaks of Sallustius as *not rich*. We had always understood that his celebrated gardens were a proof of his immense wealth, which, in fact, descended to Sallustius, the minister of Tiberius.

personage whose portraiture in these volumes satisfies us. Lucullus is too favourably painted in his Asiatic campaign, too unfavourably after his return. While he is in Asia, Mr. Merivale can see nothing in him but an excellent financier, a humane governor, an able general,—sadly vexed by mutinous troops, by revenue-farmers balked of their expected exactions, and *by the intrigues of Pompeius's party*. One little fact is omitted—that this Lucullus, who would not divide spoil to his army, though he forced them to winter in tents—who kept both the soldiers and the revenue-farmers from the wealth which they coveted—*himself managed to amass* a colossal fortune*. Here lay the whole secret of mutiny and discontent in Asia; here lay the strength of Pompey's friends, when they claimed to send him out as a successor. His pride of manner also alienated his soldiers. But when Lucullus had returned to Rome, he was in declining years and tired of politics; his temper also was mild and amiable. We do not see that he is to be reproved for ‘sloth,’ because he chose to withdraw from a scene of conflict, which every year became ruder and fiercer. Ponds of tame fish were more harmless than modern game preserves, and splendid gardens not more censurable than glasshouses for tropical forests. Elegant luxury is by no means the worst use of ill-gotten wealth.

The character of M. Crassus is drawn by Mr. Merivale as one of pure avarice and coarse selfishness. No reader would guess that Crassus was exceedingly affable even to the vulgar,—generous, as well as speculating with money,—a most ready and eloquent speaker, whose advocacy was little inferior to that of Cicero, and was freely at the service of all his friends with the least possible preparation,—and that the majesty of his person and address was very remarkable. His military talents were proved in the war against Spartacus; and it is not fair to forget this, though, in his old age—blinded by eagerness to equal Cæsar's warlike glory, and supposing the Parthians to be not more formidable than the troops of Mithridates, or Darius Codomannus—he led the Roman armies to a miserable fate. But here we must express our great surprise that Mr. Merivale should speak of the ‘prevailing mediocrity of talent’ in Crassus’s con-

* Mr. Merivale sets the reader on a wrong scent, by saying (vol. i. p. 61), ‘Lucullus is accused of avarice; and it may give some colour to the charge, that he condescended to accept another appointment in Thrace, instead of returning at once, and asserting his natural position in Rome.’

Cicero feared to add the name, but the commentators do not hesitate to apply his remark to Lucullus (*Pro Lege Manilia*, 13, § 37): ‘How can we rate a general highly, in whose army the post of centurion is sold? Can any one form noble schemes for the State, who, when he has received money out of the treasury for the service of the war, distributes it to the magistrates in order to gain reappointment to his province, or deposits it at Rome to get the interest?’

temporaries. If we had been asked, in what period Rome contained the greatest constellation of various and eminent talent, we should unhesitatingly have fixed on this very time. Among the bad, as well as among the better citizens, this is very conspicuous. Catilina and Clodius, Curio and M. Antonius, were all men of superior mental powers. The times, indeed, were such, as to give an immense premium to eloquence and decision, discernment of character, pliancy, knowledge of law, of business, and of the constitution, especially when combined with military experience and skill.

The portraiture of Cato by Mr. Merivale is still more unfavourable, and, as we are satisfied, quite unjust. We cannot expect full agreement in these matters; but we think that a historian ought either to confine himself to the facts, and let them speak for themselves, or else he ought to justify his representations. But Mr. Merivale perpetually colours the transactions from having made up his mind that pride, animosity, adherence to antique formality, pedantry, elaborate affectation, scholastic formalism, &c., were intense in Cato. We believe all of this to be a clear mistake, and that Cato was simply *a moral enthusiast*. No one will learn from Mr. Merivale even a small portion of the excellence of this greatest moral phenomenon among the statesmen of republican Rome; whose only parallel, perhaps, is to be found in the emperor Marcus Aurelius. He proposed to himself the noble problem of *carrying into public life all the scrupulous conscientiousness which in private conduct was esteemed and approved*; and for doing this earnestly, he was, and is, called pedantic, untractable, morose, and bitter. The ways of the great world were in many respects reproved by each man's conscience; yet no one but Cato refused to bow in idolatry to them. His first necessary offence to the vulgar, was, in refusing to put on at an election the fawning and false grimaces, which were all to be laid aside as soon as the wished-for appointment was gained. Cato did not desire honour for himself; only to serve his country did he seek for office at all. He was the same man before and after an election; at all times simple and accessible, never fawning and unmanly. He alone refused in canvassing to get the aid of a slave who knew everyone's name. The Romans were unaccustomed to all this, and called it *pride*. What! should others cringe to them, clasp them, perhaps kiss them; and should Cato scorn to pay the same homage? Did not others give them treats and bribes, and should Cato refuse them such indulgences? Who was this wise young man, to set himself up as a model?—All the aristocracy felt that his conduct was a severe reproof to *them*, and he at once gained universal dislike. Nevertheless, as soon as he was actually put to the

proof, he won over many who had been displeased. As quæstor, he brought the finances into excellent order, forced all the subordinates to renounce peculation, paid all the debts of the state, called-in its outstanding claims, and exhibited that 'the treasury might be rich without injustice,' if the quæstors did their duty. All credit and praise he freely shared with his colleagues, all odium he took on himself alone; so that they before long found it a great comfort, that they could refuse to do dirty jobs for their friends, being always able to reply that 'Cato would be certain to hinder them.' His most courageous deed as quæstor, however, was, to force all the assassins of the proscribed to refund the sums of 12,000 drachmas, which Lucius Sulla had paid them for every head they brought him. How the money was got out of them, thirteen or fourteen years after it was paid, is hard to imagine; but this proceeding of Cato was so much praised, that Caius Cæsar discerned that *he* also might get credit by calling the assassins to justice. As juryman, we have already alluded to Cato's integrity, which was liable to no bias *for* or *against* an accused person. On no occasion would he act as accuser or defender, from any grounds but those of moral conviction; nor is there any instance, except perhaps* that of Milo, where we have reason to believe that he took the wrong side. He conducted his accusation of Muræna with such honourable simplicity, as to win ever after Muræna's esteem and confidence. Nor was Cato's aversion to bribery accompanied by any thing morose. When he superintended the public games for one of his friends, he made every thing merry and pleasant to the people at the smallest expense; gave pleasure and gained popularity, without violating his own strict principles. The intense attachment which he not only felt towards his only brother, but excited in all his soldiers when he was a military tribune, testifies to his freedom from every thing petty, selfish, proud, and misanthropic.

Such a character would be more than human, if it had not its defects. In boyhood, he had a premature gravity, sadness, and intensity of concentration. While still a very young man, he became *priest of Apollo*, and it is probable that this deepened his enthusiasm to become a moral reformer. He immediately still farther simplified his expenditure, and used his ample fortune upon every body rather than himself. In travelling, he went on foot himself, but allowed horses to his freedmen as well

* Cato was strongly favourable to Milo, and applauded him for the death of Clodius. But it is not likely that *all* the facts of his death had then been established. It was notorious that Clodius had been the aggressor, and had the larger band of gladiators; and that Milo's band was strictly a defence to quiet men, whom Clodius would have many times murdered.

as to his friends. His dress was cheap, and dull coloured ; which was intended as a protest against the pomp and luxury of the great. Towards the deposed king of Egypt, who came to ask his advice, he behaved with no more ceremony than to any other poor man. This conduct ought not to be judged of from *our* point of view, accustomed as we are to (what Greeks or Romans would have called), an Oriental homage of kings ; but if we would judge fairly of Cato, we ought to ask how would an Elisha or an Isaiah have demeaned himself to a fugitive king of Egypt ? Yet Cato behaved to him with real friendship, and gave him excellent advice, which the king afterwards much regretted that he had not followed.

The ‘defence of Clodius’s tribunate’ ascribed to Cato, is a simple mistake. (We cannot now find a certain passage, in which, we think, Mr. Merivale, like others, has reproved this.) Cato was perfectly right in demanding that the acts of a *de facto* magistrate should not be invalidated by a flaw in his appointment ; otherwise endless confusion and injustice would result. Cicero was here carried into a monstrous extreme by personal resentment, and Cato rightly opposed him. Cato’s principle of *carrying private morality into public life*, led him farther into the conduct which is so sharply reproved by Plutarch—of refusing to wear the splendid robes of magistracy when he was praetor. Neither do we commend this ; but to call it affectation and pride is to mistake his whole character. As well may this be said of George Fox, or of John the Baptist. Such eccentricities were but outer sparklings from the great life of enthusiasm* that burnt within ; which fused his commonest and smallest doings into a homogeneous result, and produced one of the rarest spectacles in history—a public man forgetful of self, guided solely by his best perceptions of virtue, and animated by an omnipotent will to abide by the decisions of his conscience. To develop such a character as Cato to a reader of Roman annals, would seem to us far more important than the heart-sickening conquests detailed in what Mr. Merivale well calls the most frigid of military histories—the Gallic war of Cæsar.

* Of such a character, it is odd (and may excite some mirth) to learn, that he gradually became very fond of wine ; so that his enemies said, he spent whole nights in drinking. Plutarch acknowledges the fact, but does not seem to admit that Cato was ever *drunken*. One may suspect, that his extremely hardy habits, constant exercise, and life in the open air, with his frequent immense exertions (for he would speak for a whole day together, and encounter all the noise and violence of a hired rabble), admitted, and almost required, an amount of wine, which to others would have caused drunkenness. Such a habit may also have added to his exacerbation of manner ; yet there is no mark that this grew worse with age. He was harsh and stern while business was going on, relaxed and kind the moment it was finished.

Such is the man against whom, after his death, Cæsar wrote his scurrilous books called Anti-Catones ; and was not ashamed to accuse him of sifting the ashes of his brother in hope of scraping a little gold out of them, and of selling his wife Marcia to the rich Hortensius for the reversion of his estate ! But Plutarch well observes, that to accuse Cato of avarice, was like ‘ calling Hercules a coward.’ It did but show the impotence of malignity in the accuser, who ‘ thought that his pen was as irresponsible as his sword.’

But we now approach the most disagreeable part of our task, which is, to arraign Mr. Merivale’s calumnious aspersions on the great Pompeius ; a man whom, in spite of all his faults, we still admire and love. And, first, we shall extract passages from Mr. Merivale against him, which, if just, would justify all the other vituperation of him :—

‘ Great as Pompeius was, it was a cardinal defect in his character, that he failed to keep his *principal end* in view. . . . The consequence was, that he failed to acquire any moral ascendency over his associates. His virtues were sobriety and moderation, and these he possessed in an eminent degree. But . . . no man was so constantly *deceived in the persons whom he selected* for his instruments : they discovered his weaknesses, and shook off the yoke of his condescension. *The distance which he affected* in his intercourse with those about him, arose, perhaps, *from natural coldness*, but more, perhaps, from his own distrust of his power over them. . . . Nor can it be disguised that this coldness and reserve had been known by their usual fruits (!), in *an early career of remorseless cruelty and inveterate dissimulation*. The nobles who *shuddered* at the idea of Pompeius assuming the powers of the dictatorship, well knew the school in which he had been brought up, and the proofs he had given of having imbibed its lessons. *He had licked the sword of Sulla*; and as with *young tigers who have once tasted blood*, they could never be assured that his thirst was sated. *He was himself another Marius or Sulla, no better, only more disguised*. Under the orders of the dictator, he had shed the best blood of Rome, and had been branded with the title of the young hangman. He had put to death a Carbo, a Brutus, a Scipio Aemilianus ; nor had he ever evinced any symptom of compassion or clemency. *His word was not to be trusted*: he was capable of disowning his own commands, &c. . . .

‘ From the moment of his return, he was casting his eyes around him to find *creatures* who might further his *occult ends*. . . . In these intrigues he was singularly unfortunate. When he divorced his wife Mucia, *he had, perhaps, already in view the formation of an advantageous alliance*. He proposed, it was said, to connect himself with the family of Cato ; with whose character and position he must, if so, have been strangely unacquainted. [!] The overture was rejected with disdain. In Cicero, indeed, he found a willing flatterer, and with him he carried on a long course of dissimulation and cajolery, which was transparent to every one except its object.’—*Ib.* p. 185.

'Crassus was aiming, like Pompeius, at the exasperation of the public dissensions. . . . Pompeius, least of all men, knew how to make an overture of reconciliation. It was in these circumstances that he was disposed to invite Cæsar to his counsels.'—*Ib.* p. 188.

As a literary curiosity, we will quote, in contrast, from Arnold's summary of Pompeius's character:—

*'The tears that were shed for Pompey were not only those of domestic affliction; his fate called forth a more general and honourable mourning. No man had ever gained, at so early an age, the affections of his countrymen; none had enjoyed them so largely, or preserved them so long with so little interruption. . . . He entered upon public life as a distinguished member of an oppressed party which was just arriving at its hour of triumph and retaliation; *he saw his associates plunged in rapine and massacre, but he preserved himself pure from the contagion of their crimes.* . . . He endeavoured to mitigate the evils of their ascendancy, by restoring to the commons of Rome, on the earliest opportunity, the most important of those privileges and liberties which they had lost under the tyranny of their late master. He received the due reward of his honest patriotism, in the unusual honours and trusts that were conferred upon him; *but his greatness could not corrupt his virtue:* and the boundless powers with which he was repeatedly invested, *he wielded with the highest ability and uprightness to the accomplishment of his task,* and then, without any undue attempts to prolong their duration, *he honestly resigned them.* At a period of general cruelty and extortion towards the enemies and subjects of the Commonwealth, the character of Pompey, in his foreign commands, was marked by its *humanity and spotless integrity.* His conquest of the pirates was effected with wonderful rapidity, and *cemented by a merciful policy,* which, instead of taking vengeance for the past, accomplished the prevention of evil for the future. His presence in Asia . . . was no less a relief to the provinces from the tyranny of their governors, than it was their protection against the arms of the enemy.'*—*Vol. i.* p. 540.

Arnold then proceeds to confess that Pompeius's connexion with Cæsar afterwards involved him in a career of difficulty, mortification, and shame; but no sooner had he broken loose from Cæsar, than he was again, by universal confession, the natural and fit protector of the laws and liberties of his country.

Now since Mr. Merivale, in his Preface, declares that he would not have thought of writing this history, if Arnold had lived to extend his maturer work, we think he was bound to give to the public some explanation of this intensely opposite view of Pompeius. No one, in fact, could imagine that Arnold and Merivale are speaking of the same man.

We must take the counts one by one.

1. Was Pompeius *cold-hearted, false, and proud?* Hear some testimony in reply:—

' Towards Pompeius the Roman people seem to have been disposed, from the very first, just as the Prometheus of Æschylus towards his deliverer Hercules, when he says :—

" Though hateful is the sire, most dear to me the son :"

for neither did the Romans ever display hatred so violent and savage towards any commander, as towards Strabo, the father of Pompeius, . . . nor, on the other hand, did any other Roman, besides Pompeius, ever receive from the people tokens of affection so strong or so early, or which grew so rapidly with his good fortune, or *abided with him so firmly in his reverses*. The cause of their hatred to the father was his insatiable avarice : the causes of their affection to the son were many ; his temperate life, his practice in arms, the persuasiveness of his speech, the *integrity of his character*, and *his affability to every man who came in his way* ; so that there was no man from whom another could ask a favour with so little pain, and no man whose requests another would more willingly labour to satisfy. For, in addition to his other endearing qualities, Pompeius could give without seeming to confer a favour, and he could receive with dignity.'—Plutarch, Pomp. 1.

Mr. Merivale is fond of calling Pompey 'a crafty dissembler' (a phrase justly applied by Appian to Cæsar), but it may rather be believed that too great impulsiveness was his natural character. This was first shown in his canvassing for Lepidus against the judgment of Sulla ; and more pleasingly in his canvass for Crassus :—

' Crassus, though the richest of all who were engaged in public life, and the most powerful speaker and the greatest man, and though he thought himself above Pompeius and every body else, did not venture to become a candidate for the consulship, till he had applied to Pompeius. Pompeius, indeed, was well pleased with this ; as he had long wished to have an opportunity of doing some service and friendly act to Crassus. Accordingly, he readily accepted the advances of Crassus, and in his address to the people he declared that he should be as grateful to them for his colleague, as for the consulship. However, when they were elected consuls, they differed about every thing, and came into collision : in the Senate, Crassus had more weight, but among the people the influence of Pompeius was great.'—Plutarch, Pomp. 22.

This little story gives, in brief, the cause of Pompeius's failure in civil life. He was too generous and impulsive, and thus got entangled into positions from which there was no honourable retreat. After his fatal coalition with so cool-headed and long-scheming a man as Cæsar, he lost his independence, and was driven into the greatest act of meanness he ever committed—the surrender of Cicero to his enemy Clodius.

It appears, however, to us, to be contrary to all evidence and all probability, that Mr. Merivale represents Pompeius as full of spite against Cicero when he returned from Asia, and calls P. Clodius the *upstart creature of Pompeius*. The proud

patrician would probably have said, that he was *Pompeius's patron*; and so Plutarch regarded it. We do not find any evidence offered to us, that Pompeius ever planned to use Clodius as his tool: but Cæsar did; and this seems to be Mr. Merivale's error, in saying that Pompeius was 'constantly deceived in his instruments;' i.e., he chooses to regard P. Clodius as an instrument of Pompeius, and then censures Pompeius for selecting his creature so ill.

2. Was Pompeius cruel?

'Now, as to those enemies of Sulla who were of the greatest note and were openly taken, Pompeius of necessity punished them; but *as to the rest, he allowed as many as he could to escape detection, and he even aided some in getting away.* Pompeius had determined to punish the inhabitants of Himera, which had sided with the enemy; but Sthenis, the popular leader, told Pompeius that he would not do right if he let the guilty man escape and punish the innocent ones. On Pompey asking who "the guilty man" was, Sthenis replied, it was himself; for he had persuaded those citizens who were his friends, and forced those who were his enemies. *Pompeius admiring the bold speech and spirit of the man, pardoned him first, and then all the rest.* Hearing that his soldiers were committing excesses on the march, *he put a seal on their swords,* and he who broke the seal was punished.'—*Ib.* p. 10.

'As Pompeius treated mercifully some of the piratical crews, the rest, entertaining good hopes, endeavoured to get out of the way of the other officers, and coming to Pompeius, they put themselves into his hands with their children and wives. *But he spared all;* and it was chiefly through their assistance that he tracked out and caught those who still lurked in concealment, as being conscious that they had committed unpardonable crimes.'

' . . . The war was ended . . . in no more than three months. Pompeius received by surrender many ships, and among them ninety with brazen beaks. The pirates, who amounted to more than 20,000, *he never thought of putting to death;* but . . . *he determined to transfer them to the land from the sea, and to let them taste a quiet life, &c.* . . . To the greater part he gave, as their residence, Dyme, in Achaia, which was then without inhabitants, and had much good land.'

'Crete was a second source of pirates, and next to Cilicia; and Metellus, having caught many of them in the island, *took them prisoners, and put them to death.* Those who still survived, and were blockaded, *sent a suppliant message, and invited Pompeius to the island,* as being a part of his government. Pompeius accepted the invitation, and wrote to Metellus to forbid his continuing the war, &c.'—*Ib.* 27—29.

It was because of his '*mild and gentle disposition*' that Tigranes surrendered freely to him; and by reason of Pompeius's own '*virtue and mildness*', the provinces patiently endured various extortions from unworthy subordinates (Plut. Pomp. 39).

But what is to be said to Mr. Merivale's formidable proof of

Pompey's cruelty, that 'he had shed *the best blood of Rome* . . . a Carbo, a Brutus, a Scipio *Æmilianus*?' We reply—all these men met their death most justly. Carbo is described by Plutarch as a 'still more furious tyrant than Cinna' (Pomp. 5), and there can be no doubt that he bore a full responsibility in the Marian massacre of B.C. 87. Pompeius abhorred him for his crimes, and had him put to death as a thing of course, when he had made him a prisoner of war.

With regard to the other two persons, the circumstances of the insurrection of *Æmilius Lepidus* need to be considered. M. *Æmilius* was a partisan of Sulla, who began to talk boldly of reaction. Pompeius felt so strong an interest in him, that he canvassed for him, to Sulla's great disgust, and obtained his election to the consulate. When we consider that the very first act of Pompeius, as soon as he stepped into civil power, was to repeal some of the aristocratic laws of Sulla, and conciliate the depressed faction, we can hardly be wrong in judging that *Æmilius* had won Pompeius's support, by promising that he would soften the harshest of Sulla's enactments, and heal the wounds of the state. Instead of this, he plunged into a fanatical extreme, used the powers of his office to bring about a new convulsion, and in the next year broke out into actual civil war. Never was there a more causeless and more treacherous insurrection. If *Æmilius* and all his partisans had been slaughtered in mass, no one could have wondered. He himself, however, died of vexation (it is said); his lieutenant, Brutus, was put to death by Pompeius; and likewise (if Mr. Merivale is correct), Scipio *Æmilianus*, the son of Lepidus. We do not know on what authority this rests: Orosius states barely that he was 'caught and slain.' He had, as his father, fought in this most guilty war; and his execution (if by the general's order) implied no cruelty in Pompeius. Indeed, the great mildness of this victory is universally remarked upon. So dangerous and exasperating an attempt was atoned for by two or three lives. For the death of Brutus indeed, who had surrendered, Plutarch blames Pompeius; but he seems to suspect that he was betrayed by his army. The probability is, that Brutus did surrender, in appearance voluntarily; but that Pompeius, afterwards discovering that he had known his men were about to betray him, did not think this compulsory surrender entitled him to mercy. Concerning the son of Lepidus, there is no breath of disapprobation against Pompeius in Plutarch; who clearly thinks the *sole* ground of mercy to Brutus lay in his surrender having been *voluntary*.

Such is the 'remorseless cruelty' of this 'young hangman,' who had 'licked the sword of Sulla.' It fills us with shame and indignation to write such words concerning the noble Pompeius.

As to ‘the dread of the aristocracy, lest Pompeius should become dictator,’ Mr. Merivale totally misinterprets it. They dreaded lest *any one at all* should become dictator; but least of all, lest Pompey: nay, Bibulus, who had long been Pompey’s dogged opponent, volunteered to propose, that, since a temporary despotism was necessary, the Senate should make him ‘sole consul,’ in order that they might become ‘*slaves to the best man among them.*’ His motion, to the general surprise, was seconded by Cato. (Plut. Pomp. 54.)

But oh! how grievously does Mr. Merivale suppress or explain away all the moral excellences of Pompeius! This great man was as chaste and tender a husband, as Cæsar was notoriously unchaste: and Mr. Merivale attributes it to *the coldness of his nature!* Coldness! the courtezan Flora would have told him another tale (Plut. Pomp. 2). Such was Pompeius’s fear of beauty, where his power was uncontrolled, that he assumed an overstrained stiffness, which was thought unkind, towards the eminently beautiful widow of his favourite freedman Demetrius. In Asia, towards the illustrious beauties in the harem of Mithridates, he behaved as a brother anxious for their honour, and sent them all back to their kinsfolk. Yet, in his absence from Rome, ‘his wife Mucia had been seduced. While Pompeius was at a distance, he treated the report with contempt; but when he had come to Italy, and had examined the charge more deliberately, as it seems, he sent her notice of divorce; though neither then nor afterwards did he say why he had put her away.’ (Plut. Pomp. 42.)—Cicero announcing the fact to his friend Atticus, says: ‘The divorce of Mucia is *exceedingly approved of;*’ which shows that her guilt was notorious. It was the fixed opinion (says Suetonius, Cæsar, 50), that Cæsar was her paramour; and we do not know why Mr. Merivale should disdain to imagine the possibility of it, when in vague, but strong terms he allows, but palliates, Cæsar’s heartless dissoluteness. We however do complain that he libels Pompeius in this matter, by suggesting that he divorced a blameless wife *in order to strengthen himself by a high alliance!* and was so stupid, as to offend two great families by divorcing Mucia—sister of a Metellus, and daughter of a Scævola—in *order* to effect an intermarriage with the family of Cato! The refusal of his overtures by Cato was an act of self-denial most lamentable to Rome. No event could have been happier than such an alliance, which Pompeius was induced to desire from his warm admiration of Cato. But Cato saw in it only a snare to his virtue, and drove Pompeius to seek the patronage of Cæsar and Clodius, in order to get his acts in Asia confirmed.

But we were proceeding to say, that Pompeius, now in middle

life, attracted the enthusiastic love of two very young wives in succession ; first, of Julia, the daughter of Cæsar, and, after her death, of Cornelia, the widow of young Publius Crassus. His devoted attachment to them both was looked upon as almost a fault by the Romans ; and this is the man whom Mr. Merivale calls cold-hearted, and too cold in temperament to have been unchaste !

But his total freedom from avarice, his ‘sanctity,’ and his great forbearance in the provinces, are not to be omitted. Space forces us to be satisfied with one splendid eulogium from Cicero :—

‘ Who knows not what calamity our armies carry everywhere with them, by reason of the avarice of the commanders ? More cities of our enemies are not destroyed by the weapons of our troops, than states of our allies by their wintering. Do we wonder that Pompeius so excels all other men, when his legions, passing through Asia, left no trace of mischief on any peaceable person ? In their winter quarters, *not only is no one compelled, but no one, who even wishes it, is allowed to incur expenses for his soldiers.* The swiftness of his career is not due to new winds or miraculous oars ; but it is because no avarice can bait him, no intrigue can seduce him, no pleasure can divert him. While others carry off by violence the beautiful statutes and pictures of Greece, Pompeius refuses to set his eyes on them. Men therefore in those parts look on him as one sent down from heaven, and at length believe that there once did exist self-restraint in Roman generals. *His fidelity to his engagements is accounted sacred by enemies of every nation ; and his humanity is such, that it is hard to say whether combatants more fear his valour, or the conquered more love his mildness.*’—*Pro Lege Manilia*, sec. 38, &c.

All this would have been a bitter satire if Mr. Merivale’s account of Pompeius’s character were not totally and diametrically false.

It is sickening to read Mr. Merivale’s perpetual tale of Pompeius’s jealousy, dissimulation, intrigue, craft, desire to embroil affairs, unscrupulousness, yet irresolution in seizing power, with his gratuitous comparisons of him to Sulla. We allow and deplore that *during the whole period of his union with Cæsar* he acted foolishly and basely ; basely towards Cicero, foolishly towards others. But neither is this union rightly explained by Mr. Merivale. When Pompeius was returning from the Mithridatic war, the report of Catilina’s formidable plot made him desire to be employed on the side of the state to suppress this new danger ; and he sent Metellus Nepos to Rome, in order to promote this end. There was nothing reprehensible in this. Metellus, however, acted with extreme violence, and was

thwarted only by equal violence on the part of Cato and another tribune. But Pompeius, on learning that Catilina was slain, and the war finished, behaved with such admirable moderation and fidelity, that (as Mr. Merivale admits), such men as Lucullus, Hortensius, Bibulus, and their whole party, only despised him for it; and hence his misfortunes. He could not get his acts confirmed, or his soldiers rewarded; and until the former object was attained, ruin impended over him. Thus he was against his will forced into dishonourable alliances.

When Pompeius had broken loose from Cæsar, his conduct was not indeed such as Cato could applaud, but neither does it seem to deserve the censure bestowed upon it. He exerted himself vigorously to put down violence in Rome. He disarmed the gladiatorial bands, by which his life, as that of Cicero and of many others, had been often threatened. He held the public trials, and passed many useful laws. He is derided, indeed, as the ‘breaker of his own laws,’ because he tried to shelter his father-in-law Scipio and his friend Plancus; a weakness of which every man in Rome except Cato would have been equally guilty. As to the exception in his own favour, by which he was to be allowed to hold Spain for five years, we entirely justify it. Pompeius Magnus *was* an exceptive man. He, and only he, had laid down supreme power voluntarily, when the temptation to keep it would have been irresistible to meaner souls. The conduct of Cæsar showed that *he* was dangerous to the state—Pompeius was notoriously *not* dangerous. To this infinite chasm between the two men, Mr. Merivale is utterly blind, and repeats as truth the parrot-cry of Cæsar, that the whole question lay between Pompeius and him. Nay, but between the state and Cæsar. While Pompeius retained office, the state could always rally to one who had been proved, and might be trusted. If he had not exempted himself from his own law, the state would have had no chance against Cæsar’s armies. And, in fact, the fault of Pompeius was the very opposite—that he was *too slow* to arm against this fatal danger.

It makes us indignant when Mr. Merivale so often contrasts Pompeius unfavourably to Sulla or to Cæsar, in his shrinking from large and decisive measures—in his want of comprehensiveness of views and vigour in execution. What else does, or can, this mean, than that Pompeius did not choose to overthrow the liberties of his country under pretence of reform; and knew that no evil in detail was so great as the destruction of the institutions, out of which all the eminence of Rome had sprung? Because he would not become an unscrupulous and audacious usurper, he is taunted with not knowing the use of power, and not daring to execute his hidden designs. But he had *no* hidden

designs. He desired to serve his country, publicly and honourably, not to subvert it.

Pompeius the Great, on whom the last hopes of Roman freedom turned, perhaps could not have materially benefited the empire, if he had been victorious. We murmur not against Providence for his fall; nevertheless we honour and mourn over his virtues, as far beyond those of any other general of antiquity, celebrated so early in life, and so long eminently prosperous.

ART. VIII.—*Three Essays : The Reunion and Recognition of Christians in the Life to come—The right Love of Creatures and of the Creator—Christian Conversation.* By John Sheppard, Author of ‘Thoughts on Private Devotion,’ &c. London: Jackson and Walford.

WE welcome this little volume with pleasure, as a return of the respected author to themes more congenial to his powers than those which have lately occupied his pen. His ‘Christian Consolations,’ and ‘Thoughts on Private Devotion,’ have long been highly and deservedly valued, by a large class of refined and sensitive minds. For ministering to such a class of minds, Mr. Sheppard’s peculiar cast of thought and expression give him remarkable fitness. A rougher and more masculine energy would shock, a more theological and doctrinal presentation of truth would repel them; more philosophical and wider generalizations would leave them unaffected; but the appeals, pointed and direct, yet always winning and persuasive, the illustrations, always elegant, and often forcible, with which his writings abound, lay hold of and detain them. Our religious literature has no better example of the force of gentleness. We remember to have heard his productions described as those of a female Foster. There is, indeed, much similarity in the freshness and originality of his thoughts to those of his illustrious friend. The rough gnarled strength of the one is, however, in the other supplanted by an almost feminine grace and delicacy. The one grapples with and holds you as in the grasp of a giant; the other detains you as surely, but it is by the gentle hand and loving touch of woman. The one is the grip of Ajax, the other the embrace of Andromache; and many, as Hector, struggle in the former but yield to the latter. It has been, therefore, with regret that we have seen the author’s later efforts, we will not

say wasted, but at least unprofitably directed, to ephemeral productions and uncongenial themes; and it is with equal satisfaction that we welcome his return to subjects which he is so admirably and peculiarly fitted to discuss.

The first and longest of these essays is devoted to a consideration of 'the reunion and recognition of Christians in the life to come;' a subject of profound and universal interest, yet one which has received little attention in our literature. Except a volume by Mr. Muston, we know of nothing specially directed to an investigation of this question; and there can be no stronger proof of the interest felt in this inquiry, than the fact, that a book diluted to the utmost degree of feebleness, spun out to the farthest extent of attenuation, as is Mr. Muston's, should have gone through four or five editions. Nor is this interest unnatural. How eagerly is every scrap of information concerning the various districts of colonization caught up and devoured by those whose relatives and friends have emigrated, and especially if the inquirer be in the prospect of speedily following their example, and rejoining them in their new home. *Minutiae* which would otherwise be disregarded as too trivial for a moment's thought, are anxiously inquired into and remembered. And should a suspicion be breathed that our former friends, in their present prosperity, have forgotten us, and will greet us on our arrival with no welcome, nor even recognise our once familiar faces, with what anxiety and solicitude should we inquire into the grounds for such a notion! How changed would our feelings be toward that land, which had the power thus to alter them, until the suspicion had been removed, and the aspersion cleared away! Who has not lost a friend? To whom is not that 'land that is very far off' an object of profoundest interest, seeing that the friends he once loved on earth now dwell there? Who does not hope 'to see that land' himself, and that on his tomb, as on Albert Durer's, 'emigravit' shall be inscribed? To each one, then, every inquiry into its modes of life and enjoyment must be a pleasing theme. How much more interesting when the suspicion is breathed that our former friends have forgotten us—will fail to recognise and welcome us! The decision of this question seems necessary to our full enjoyment of the consolations which even the assurance of immortality can impart. It is something to know that our departed friends still live, and are still happy. But this belief can do little to console, if we regard them as dead to us, and lost for ever. How cheerless comparatively would be the prospect of our own decease, and the hopes of our own immortality, if we expect to enter the heavenly country as utter strangers, and to spend eternity in loneliness and isolation! With what different feelings should

we anticipate our departure, if we had the conviction that our friends who have preceded us await our coming with earnest longings, stand ready to bid us welcome, and to lead us by the river of the water of life up to the throne of God! The reunion and recognition of the spirits of the just made perfect is then no abstract speculation—no mere theoretical disquisition, but one of deep, personal interest. We therefore deem this admirable essay a very valuable acquisition to our religious literature.

The essay is prefaced by a preliminary chapter, designed to prove that the belief of a future life is inseparably involved in all real theism. The argument is ingeniously conceived and conducted; and is, on the whole, satisfactory, though not perhaps conclusive. Our limits will only permit a brief statement of it. The lowest idea, it is urged, which any true theist can hold of the Deity is, that his attributes of wisdom, power, and goodness, if not absolutely infinite, do yet immensely surpass the same attributes in the creature. Now, every truly benevolent man would assuredly prolong, perpetuate, and perfect the holiness and happiness of his fellow-men, if it were in his power to do so. His heart's desire and prayer for them is, that they may become faultless and immortal. The effort of every Christian philanthropist is, to give realization to these wishes. There have been many men, the sole aim of whose lives, the highest ambition and aspiration of whose hearts, have been to realize these blessings in and for themselves and their fellow-men. Now, to suppose that the Creator will not grant accomplishment to these desires and endeavours, is to assume, either that no such idea of the creature's highest destiny has presented itself to the Creator's mind; or that, having presented itself, he is not *willing* to give it objective reality; or, that being willing, he is not *able* to do so. The first supposition is, of course, at once rejected, as equally impious and absurd. We are then left to the old Epicurean dilemma in reference to moral evil—'Aut vult sed non potest, aut potest sed non vult.' That he cannot, is a supposition scarcely less absurd than the one already rejected—since it is admitted that he *created* the human mind, and preservation involves far less of difficulty than does creation. He who breathed into man the breath of life, can, if it please him, prolong that life beyond the brief limits of three score years and ten. The only remaining supposition is, that he will not. But, surely no true theist would admit that the benevolence of the Divine Benefactor is less than that of the human philanthropist. This would be to elevate Peter and Paul, and the long train of Christian labourers and martyrs, above Him 'who is God over all, blessed for ever more.' It is to assert that what they have lived and died to accomplish, He who is alone able is

unwilling to grant, that he will not do for his children that which their brethren after the flesh have striven to secure. This is surely little better than atheism and idolatry strangely combined, for it is to deny to God that supremacy in all moral perfections which alone entitles him to our adoration, and at the same time to elevate mortals to the vacant shrine. It is hero-worship, such as no race of idolaters ever yet practised. They revered in the hero a manifestation of the Deity ; this is to set the Christian hero above God himself.

The very obvious difficulty in the way of this, and indeed of all arguments from the perfections of God, is, the existence of moral evil. The presence of this difficulty is acknowledged, and partially met, by our author ; but we think he scarcely admits its full force, nor quite succeeds in disposing of it. His reply is, that for aught we know, the permission of moral evil may be essential in a scheme of true optimism ; partial evil may work out universal good. A denier of future life might, however, urge in reply, that just as well may the extinction of the human soul in death be essential to the ends of universal benevolence ; the negation of partial good being as necessary as the permission of partial evil. It must be admitted, however, that to deny the reality of a future life, is not only to throw an additional difficulty in the way of a true theism, but is, at the same time, to deprive us of the only means of disposing of the difficulty already existing. If immortal life be admitted, ‘then infinite room is left for the rectification of all evils, and the working out of an incomparable overplus of goodness and felicity ; but the denial of a future life annihilates this.’ It thus aggravates the difficulty of the existing evil, and brings in the additional difficulty involved in the denial of the perpetuation and perfection of present good.

Whatever value, however, this discussion may possess, we submit that it is out of place here, unconnected as it is with the main subject. The essay would be improved by its excision, and it might, with advantage, be expanded into an independent argument. We would suggest, as a very suitable and important substitution for it, a preliminary chapter, inquiring where the burden of proof lies in the discussion of this question. On whom does the onus rest—on the assertors or the deniers of recognition ? It appears to us very manifestly to rest upon those who deny, so that in the absence of disproof we are bound to hold the affirmative. The continuance of personal identity in the next life is of course admitted by all. The future life is but an extension, a prolongation, of the present. Immortality is but the projection of my present being into eternity. The probability then is, that I shall carry into eternity the capabilities of

recognition which I possess here. The opposite theory involves the mutilation of mind—the destruction of some of its most important faculties. For the fact of this mutilation and destruction, we demand proof. In the admitted fact of personal identity, there is a *prima facie* case made out in favour of recognition. It devolves, then, not upon those who maintain to prove, but upon those who deny to disprove. In the absence of any attempt at disproof, we have warrant in admitting the doctrine as true.

This *prima facie* case is immensely strengthened if we remember what identity involves. It is impossible to conceive of the continuity and identity of conscious existence where there is utter oblivion of the past. Without going the length of some metaphysicians, in affirming that memory and identity are but different phases of the same fact, yet surely the latter must involve the former. Identity must include a continued consciousness of the past; that is to say, must include memory. We shall, then, assuredly carry with us into the future reminiscences of the present; and when we reflect how large a portion of our present spiritual existence is connected with our friends and associates, we are inevitably led to the conclusion that they must remember us, and we must remember them.

If this needs further proof, we find it in the fact of moral government. All who admit the reality of a future life, admit that the present and the future bear to one another the relationship of probation and retribution; so that our condition there will be but the development of our condition here. Now it is difficult, or even impossible, to conceive how there can be retribution where there is oblivion—how the present can be rewarded or punished unless it be at the same time remembered—how eternity can be developed from time unless time be remembered in eternity. And this proof amounts to demonstration when we reflect that in God's government retribution is chiefly made by grateful or remorseful remembrances. There must then be self-recognition, and the clear, full remembrance of the events of this life. This being so, we say that it devolves upon the denier of recognition to explain and prove the non-recognition of others; and to adduce evidence that so extraordinary and unprecedented an act in the Divine government shall take place, as the obliteration of one class of reminiscences and the perpetuation of others. Until this be done or attempted, we maintain that the direct argument in proof is logically needless.

To this direct argument we now turn. Mr. Sheppard, in the first place, directs attention to the presumptive evidence in support of this opinion furnished by the universal belief of the heathen

world. He furnishes a most important and valuable induction of passages, drawn from all quarters ; and shows that the belief of reunion and recognition has been as widely diffused, and as firmly held, as the belief of a future life itself. Orators, poets, and philosophers, alike testify to this conviction. The whole field of classical antiquity is ranged over in proof of their hopes of ‘an auspicious day, when, escaping from the mob and rabble of earth, they shall join the banquet and council of departed friends and heavenly spirits.’* The Chinese, Hindoos, and Persians, are shown to coincide in these beliefs ; and, descending still in the social scale, the mythologies and funereal rites of the rudest barbarians are adduced to prove that they too indulge the same cheering conviction. The induction of evidence proves that there is, perhaps, no moral truth which more nearly fulfils the conditions requisite to give it the authority of ‘universal consent,’ ‘that it be held always, everywhere, and by all.’ ‘Una in re consensio, omnium gentium, lex naturæ putanda est.’ (Cic. 1 Tusc. Ques.)

To this succeeds the scriptural argument. We regret that want of space forbids our quoting any of the passages adduced by Mr. Sheppard, with his comments upon them. We call attention, however, to the exquisite precision with which he sometimes gives a new rendering of a passage, indicative of fine scholarship and intimate acquaintance with New Testament idioms. We must content ourselves with presenting his summary of the whole chapter :—

‘ It has been thus, I think, amply evinced from the Christian Scripture—1st, that our Saviour’s purpose was to form a society ; 2ndly, that he originated with and between them the most real of relations ; 3rdly, that the intimacy of it is described by the very strongest comparisons we can imagine ; 4thly, that the local assembling of this whole society at his coming is clearly promised ; and, 5thly, not less so their everlasting abode with each other and with him. We have seen, 6thly, that the references to these subjects in the Old Testament, however slight and brief, are yet in agreement with the prospects which a later revelation opens. It has been shown, 7thly, that not only is a reciprocal sympathy of love and joy between Christians in this life both recorded and strongly enjoined in the New Testament, but also the expectation of this same happy sympathy in the life to come ; and, 8thly, that the renewal of especial “communion,” by some joyful and exalted modification of that commemorative social rite which our Redeemer instituted, appears to be matter of promise.’—Pp. 63, 64.

The redeemed in heaven are thus seen to form a community of individuals who had been intimately associated during the most critical portion of their history—the term of their proba-

* Cicero De Senectute, cap. 23.

tion ; and who, during that period, had influenced one another's spiritual interests by mutual action and reaction. Those influences are vividly and gratefully remembered by each individual in the community, and form the great theme of devotion, in a world where devotion is the great business of existence. Now, is it credible or conceivable that, with this intimate communion and individual remembrance, there should be no recognition ? Shall we bury these grateful reminiscences in our own hearts, and communicate them to none of our associates ? Remembering the friend or pastor whose words decided our religious character, is it possible that we should be distinctly conscious that he is near us, and yet no recognition take place ? Would not such a restriction limit the happiness of heaven, and be inconsistent with the perfect union of thought and feeling which exist there ? We ask yet further, *Is it credible that an eternity of communion should pass away without recognition ?* Even supposing that at first our friends should be lost in the indistinguishable throng of that 'great multitude which no man can number ;' yet still that number will be *less* than infinite, and the duration of intercourse will be *infinite*. We shall have eternity in which to range. And who shall say that in the discoveries and developments of that eternity, we shall not find ourselves bound, by hidden and mysterious ties, to every member of that redeemed family—each indebted to all, and all to each—no individual isolated and unconnected, but all united in indissoluble bonds of mutual gratitude and obligation ; to use the magnificent language of Milton, 'progressing through the dateless and irrevoluble circle of eternity, shall clasp inseparable hands, with joy and bliss, in over-measure for ever.'

Various other arguments and illustrations may be urged, at which, however, we can only glance. Illustrious men are constantly alluded to—Abraham, Isaac, and Jacob, Moses and Elias, and the Twelve Apostles—as forming part of that society, and as adding, by their presence, to its happiness. 'To sit down with them,' is often used as a synonyme for entering heaven. But this surely implies that they shall be known and recognised.

Again, the transactions of the judgment and the publicity of its proceedings intimate the same truth. The individual and all his acts are to be brought prominently and publicly forward. The kind word and deed, the cup of cold water, the prison visit, the sympathetic tear, rendered to the disciple, are to be acknowledged and honoured by the judge. And must not the disciple who was the immediate object of the charity, recognise the benefactor too ? This surely implies recognition on the very widest and grandest scale.

Again, the fact of angelic ministry must involve in it recognition. There is joy in heaven among the angels over the sinner as he relents and turns to God. He at once becomes an object of their solicitous care and ministry; they attend him throughout his course, and have 'charge concerning him lest he dash his foot against a stone.' Surely their interest in him does not cease at the very moment their labours are crowned with success. If they rejoice when he repents, they can scarcely be silent when they escort him to glory; they can hardly 'minister to him an entrance among the saints in light,' and then at once and for ever dismiss him from their thoughts.

But what, we hasten to ask, are the reasons which excite incredulity as to a doctrine so accordant with reason and revelation? Evidence crowds in upon us from all sides, in proof that the affections of earth will be consummated and perpetuated in heaven. What counter-evidence is there? As far as we are aware, there is no single passage in the word of God which can be shown to be in the slightest degree discordant with it. There is no fact of our experience or consciousness inconsistent with it—all are in its favour. The only objection which has any weight, is, 'that the anxious and fruitless search for friends, who have come short of heaven, or the dreadful information as to their absence, which may preclude that search, could not but be a fearful subtraction from the happiness of loving and tender spirits.'

Now in the first place, this objection throughout is mere assumption and conjecture. Neither premises nor conclusion have the slightest show of proof, and, therefore, can be of no force when brought against direct and absolute evidence to the contrary. It is taken for granted, that the sorrowful remembrance of the lost depends upon the joyful recognition of the saved. It is taken for granted, that the grief of conscious separation would so far outweigh the joy of recognition, and eternal reunion, as to render entire oblivion preferable. It is yet further taken for granted, that there will be no means taken to meet the case, and to mitigate the sorrow, of finding that some whom we loved are lost, other than the very clumsy and improbable one of keeping us in universal ignorance as to those who are saved. Such unproved conjectures cannot surely be admitted as sufficient warrant for discrediting a doctrine, proved by strong and direct testimony.

In the second place, we reply, that the knowledge of the ruin of the finally impenitent, and the sorrow consequent on that knowledge, do not depend on the fact of recognition. The publicity of the final judgment, to which we have already alluded, an-

ticipates the objection. There is no fact connected with the judgment more clearly, repeatedly, and emphatically asserted, than this. The very design of its being held at all is, that it may be in the sight and hearing of all; so that the faithful shall be openly accepted, and the faithless as openly rejected. We shall be made acquainted with the dreaded fact then, independently of the discoveries of the heavenly reunion and recognition. Besides which, we know the principles on which the final award will be given, and we know, or fear, that the persons in question 'have not the Son,' and therefore 'cannot see life, but the wrath of God abideth on them.' This conviction will remain unaffected by recognition. What, then, should we gain by universal ignorance, but universal suspense and solicitude? It would but involve us in uncertainty as to the fate of all. *We should want the satisfaction of knowing, with absolute certainty, that any whom we had loved were saved; we should lose the delightful surprise of meeting many of whom we had little hope; and should be left in the certainty, or the suspense worse than certainty, as to those who had lived without God in the world.*

In the third place, it will be admitted that God, and our Saviour, as well as 'ministering angels,' distinctly realize the fact that some are lost. It will be admitted, too, that their love for them is at least equal to ours, however intense that may be. It will be admitted yet farther, that their knowledge of this fact is in no degree incompatible with the bliss of Him who is essential love; or with his joy, whose 'love was stronger than death'; nor are the songs of angels less rapturous because they are the agents in inflicting the Divine judgments. Why then should our knowledge of the fact be represented as incompatible with our proper bliss?

In the fourth place, we maintain that this objection is worse than futile. It casts a most serious suspicion on the Divine government. It assumes that God, to keep his purified and perfected creatures in peace and joy, must keep them in ignorance. In the eloquent language of Channing, 'This objection is worse than superficial. It is a reproach to heaven and to the good. It supposes that the happiness of that world is founded in ignorance; that it is the happiness of the blind man, who, were he to open his eyes to what exists around him, would be filled with horror. It makes heaven an elysium, whose inhabitants perpetuate their joy by shutting themselves up in narrow bounds, and hiding themselves from the pains of their fellow-creatures. . . . Let me add that the objection casts a reproach on God. It supposes that there are regions of his government which must be kept out of sight, which, if seen, would blight the

happiness of the virtuous. But this cannot be true. There are no such regions, no secret places which these pure spirits must not penetrate. There is impiety in the thought.'

If it be asked how the happiness of heaven is to be reconciled with the conviction that those whom we have loved have come short of it, we reply, that it is by no means necessary that we should be able to explain this. In 'things pertaining to the kingdom of God,' we cannot expect a solution of every difficulty. The following suggestions, however, may suffice for the present.

To the purified and perfected spirit, the character of sin will appear in its true loathsomeness, and that of God in its true excellency. The human mind being brought into perfect harmony with the Divine mind, will see all things as God sees them, will love all that he loves, hate all that he hates. This, whilst it enhances and intensifies the love felt for the fellow-heirs of 'glory, honour, and immortality,' will, at the same time, destroy all such feelings toward the finally impenitent. Love to holiness and God being the supreme principle of the perfect spirit, will forbid its longer loving those, whose rebellion and ingratitude had at once despised the law and spurned the grace of the ever-blessed God. Whatever the God of justice and love inflicts, the godlike spirit will approve. This is not mere conjecture—its truth is proved by the acclamations everywhere ascribed to the righteous witnesses of 'the righteous judgments of God.' They echo his sentence with a deep and awful, yet unfaltering Amen. In the spirits of the redeemed, as in the Redeemer himself, indignation will take the place of love toward the finally impenitent. Sympathy with the cause of God will prevent sympathy for those who obstinately oppose it.

Here we must close, reluctantly omitting any reference to the speculations of the second, or the wise suggestions of the third essay. We can only cordially recommend the volume to our readers, as abounding with valuable thoughts on various points, but little touched on in our religious literature.

ART. IX.—1. Debate in the House of Lords on Lord Stanley's Motion, June 17th, 1850.

- 2. Debate in the House of Commons on Mr. Roebuck's Motion, June 24th, 25th, 27th, and 28th, 1850.*
- 3. Correspondence presented to Parliament respecting the British Demands upon the Greek Government, and respecting the Islands of Cervi and Sapienza, February—June, 1850.*

FROM the departure of Captain-general Agamemnon with his thousand ships, down to the recent time when Admiral Parker and his fifteen men of war entered the Grecian waters, myth and history have shown how fruitful are small events of large results. The desolated households of the monarch Menelaus, and the merchant Pacifico, have alike conducted to strife. The abduction of the Dame Helen lost Troy and gave the world an Iliad; the plunder of the household goods of the Jew Don, with some other offences against good morals, have lost us, it is said, our preëminence amongst the nations, and, to compare small things with great, given us a very exciting and important parliamentary debate. The sun of England has set never to rise again, say the disappointed opponents of the English government; while their joyful advocates, with much zeal, reply that the sun of nations shines more brightly than ever, as the light of progress and liberty. Following the classic rule, it will be our endeavour, in a review of the late debate on the foreign policy of Lord Palmerston, to seek truth midway between the party-hate of opposition, and the party-zeal displayed in defence of the ministerial policy, Grecian and general.

In the outset, it may be truthfully assumed that the general principles in opposition were Freedom and Despotism; the practical issue this—is England to lend the moral might of her sympathy to the struggling nationalities of Europe, or is she to sink into a pliant neutrality to the unholy alliance of kings and oligarchies for the subjection of all who aspire to the dignity of freemen? Some subsidiary questions of self-interest and of party and place were directly involved in the decision, but this must be taken as the grand, or, according to legal phrase, as the material issue.

The question was raised in the House of Lords by a narrower issue, which, whether right or wrong in political tactics, was certainly a course opposed to political truth-seeking, and not creditable to the justice of a body in its strange anomaly of functions, the highest judicial tribunal of the land. Lord Stanley,

as the advocate of absolutism, charged the Government with endangering the continuance of friendly relations with other powers, by the enforcement of our claims against Greece. The inconsistency of his resolution in the express recognition of the right and duty of protection, and the censure of the measures in discharge of that duty, will appear in the course of examination of the facts of the case. Lord Stanley's party, with a fair-dealing, in this instance, peculiar to the conduct of justice by hereditary right, led by the Tory ex-minister of foreign affairs, travelled beyond the record of indictment into every topic which could prejudice the question in dispute. The house, by a majority of 37, decided against the Greek policy, and without the possibility of question, against the whole foreign policy of the Government. The effect of that vote on the position of ministers may be dismissed with a few words. It needed not the precedents cited by Lord John Russell, which were not strictly in point, to show the constitutional right of ministers to retain office. That was to be determined by an appeal to the constitution. As we have not in recent times heard it asserted that the hereditary legislators of England and the commonalty of England are identical,* we may leave the question as it is. But as the Whig Premier has got some political credit from his opposition to the absolutism of the House of Lords, and as some of his more liberal defenders have even hailed him as the democratic minister of England, it may be well to remind too credulous Liberals of the magnitude of the stake, as a moving cause. We have little faith in the abstract liberalism of the noble lord. He has been, throughout the greater part of his public career, the Liberal of circumstances; and there are too many contingencies, possible and probable, to be provided for, before we can honestly agree in elevating the hero of finality to the championship of English democracy. Time tries all men and things; and if there had always been less credulity in the Reform party, there would have been fewer apostasies in high places from the cause of liberalism.

The issue was enlarged in the House of Commons to a declaration that the principles on which the foreign policy of her Majesty's Government has been regulated, have been such as were calculated to maintain the honour and dignity of this country; and in times of unexampled difficulty to preserve peace between England and the various nations of the world. To arrive at a just conclusion on these conflicting opinions, it is necessary to distinguish between two distinct questions of international policy, much confused in the debate. The greater,

* Mr. Disraeli's disquisition on the purely aristocratic composition of the English constitution, in the late debate on the county franchise, hardly went to this extent.

doubtless, includes the less ; but, as it is possible to approve of the enforcement of the Greek claims without concurring in the whole foreign policy, and for an honest, consistent man, to express general concurrence in the policy of the whole without agreeing in every specific act, it is important to note a distinction of which the resolution of the House of Commons takes no notice, and that of the House of Lords only by implication. This, it may be remarked, is an indication of the difficulty of laying down abstract rules of action, which shall be applicable to every circumstance in the conduct of a nation. The two principles and questions are these :—1. The right of England to interfere with another country for the protection of her subjects, in reference to some specific act or acts ? 2. Her right to interfere with the affairs of other nations, on general questions of national policy, not specifically affecting her own subjects ? The first, which may be shortly termed the question of protection or non-protection to British subjects, depends on a quasi positive law. The second, the question of interference or non-interference in foreign affairs, belongs to the class of unfixed usage, which depends on the habits and feelings of an age, on the state of international good feeling, and much on temporary circumstances, involving questions of right and wrong, humanity and barbarism, or it may be peace and war ; for one or other of these must often justify an exception to the largest recognition of the policy of non-interference. To determine the right of our Government to seek reparation from the Greek Government, by an armed force, for injuries committed on British subjects, we must inquire what are the provisions of international custom, the nature of our demands, the justice of these demands, and the necessity for interference by force.

We use the term international custom advisedly, in preference to the common phrases—‘international law,’ ‘the law of nations,’ and ‘public law.’ There is not, and under the existing relations of nations, there can be no positive law ; because, as there is no earthly authority superior to that of a state, there can be no power to enact a law which shall be binding on others than the subjects of that state. Professor Kent, the learned American Commentator, without touching on this primary difficulty, notices others of hardly less consequence ; observing that, as nations have no common civil tribunal to resort to for the interpretation and execution of this law, it is often very difficult to ascertain, to the satisfaction of the parties concerned, its precise injunctions and extent ; and a still greater difficulty is, the want of adequate pacific means to secure obedience to its dictates.*

* 1. Commentaries, 2.

Hence the existing occasion of war, described by Lord Bacon to be one of the highest trials of right. An international law could only proceed from a congress or confederacy of nations, an event which may be possible when Christianity becomes a living fact, when the people learn that the world was given for men, and not for kings and aristocracies and classes, and discovering their latent strength, know how to use it rightly. As nations are now relatively constituted, they must seek guidance from the acknowledged rules of reason and morality. Vattel has asserted the binding force of the law of nature, in enjoining nations to act with justice, good faith, and benevolence towards each other, which he terms the 'necessary law of nations';* but admitting the moral obligation on nations, as on individuals, the same objection applies, of the want of a superior power to make the moral obligation a positive law, which can be enforced by authority. Attempts have been made to reconcile the rival theories of the origin of international custom, so as to avoid the danger of the consequences which some have drawn, that governments are not so strictly bound by the obligations of the moral law in relation to other powers, as they are in the management of their own local concerns. But, while we fully concur in the sentiment, we cannot see that the argument removes the marked distinction between a moral and a legal obligation; for the infringement of the one, men are answerable only at the great judgment seat; for the other, there can be no human punishment. Nations, like the refined society of communities, have in time established certain conventional customs, which are only legally binding so long as they are recognised by all. It might seem useless to insist so strongly on a distinction so obvious, were it not that legislators, from that remarkable ignorance, at the present day, of the first principles of right and of the canons of truth-seeking, so essential to all sound legislation, have founded lofty argumentation on the assumption, that there is a fixed immutable code of international law. In the late debate, a rhetorical flourish by the Foreign Secretary produced some amusing gladiatorialship. 'Civis Romanus sum,' said the eloquent minister, referring to the haughty boast of the Roman, and immediately honourable members got to fisty-cuffs on the knotty point. 'You are wrong in history and law,' cries the astute representative of Oxford; 'it came from imperial Rome, when all the world was in slavery.' 'No,' answers the learned Solicitor-General, 'the principle is as old as the young and healthy age of the Republic.'

Without doubt, the principle of protection to wandering

* Prelim. sec. 7.

citizens was a Roman sentiment at a very early period ; but that fact does not prove the establishment of a common custom of nations. Antiquity is almost silent with regard to the so-called law of nations. By the morality of antiquity, the foreigner was regarded as a natural born enemy. Piracy, if committed by a Greek on a barbarian, was esteemed an act of virtue—death or perpetual slavery was the hopeless doom of the captive of war. There is a trace of an international custom designed to mitigate the severities of ancient warfare in the Amphictyonic Council, but the rule of action was applicable only to contests between the Grecian states. The Romans, in theory, had better notions ; yet although in the last days of the Republic, the soundest truths of public morality were taught by Cicero, history abounds with proofs of the injustice which prevailed in the treatment of foreign states. With the propagation of Christianity from the time of Charlemagne, a more enlightened sense of right and justice prevailed amongst the nations of Europe, and gave birth in time to the conventional code, which we are accustomed to call the law of nations.

It being thus clearly apparent that there can be no public law more binding than the mere dictum of Grotius or Vattel, or any other jurist, when consistent with the principles of morality, let us see what light the conventional customs of nations have thrown on the question. Have they prescribed a specific course of action in reference to the condition of the subjects of one state residing in the territory of another ? Is that course of action consonant with the principles of justice and morality, so far as can be ascertained by the light of reason, the only existing test of validity and obligation ?

The rule of custom is to be sought for in the practice of nations, rather than in any specific rule laid down by the jurists. It is granted on all hands, that when foreigners are admitted into a state upon free and liberal terms, the public faith becomes pledged for their protection. Protection is the logical consequence of admission. To this end, it is essential that the public tribunals of justice should be open to all, for the redress of wrongs. This may be taken as a statement of the general obligation of protection incumbent on the foreign state. But the parent state, too, has a protective duty to perform towards its sons. As the protection of law is a right appertaining to citizenship, under the social compact ; and as the rights, obligations, and duties of citizenship are neither lost nor loosened by temporary removal from the territory of that state ; it is just and reasonable that the general protection of the state should still attend the wandering citizen. Up to this point, there is at least moral obligation of protection incumbent on both states. It may be

objected that there is no abstract right to protection from the foreign state—that residence there is a voluntary act, and that by that act the person voluntarily undertakes all the risk and consequences of the act; and by parity of reasoning, that the parent state is absolved from the duty of protection. Unless it can be shown that the moral law is obligatory only on particular nations, the objection fails, for the duty of protection is clearly within the moral law. Let us test the question on grounds of common expediency and necessity. As commercial profit, and other national benefits, accrue to a state from the sojourn of foreigners and the general intercommunication of nations, the protection of law, to as full an extent at least as it affords to its own subjects, is a fair and necessary concession in return for this advantage. The merchant or traveller may reasonably say to the government of the country to which he resorts, ‘ You open your ports and your cities to the citizens of foreign lands ; you invite them to dwell here, so long as they act in obedience to your laws ; trusting in your good faith, I have come to your shores in search of profit or pleasure, give me a guarantee of protection for life, and liberty, and property.’ This surely is a right which all nations in friendly communication are reasonably entitled to demand of each other. It was one more particularly due by the Government of Greece to England on special considerations of gratitude. The reasonableness of the demand has been universally acknowledged and acted on by civilized nations, so that it is as much recognised as a conventional custom as any other principle of the so-called law of nations. And truly, until the nations of Christendom follow the exclusive policy of Japan, and prohibit the entrance of all foreigners, it is not unreasonable to maintain that it is no less the duty than the right of a parent state to enforce, by the best means in its power, protection for its wandering citizens. Vattel, while laying down the general principle of non-interference, distinctly recognises an exception to the rule in cases where justice is refused. As the practice of nations, the enforcement of protection was clearly proved by the precedents cited in the course of the debate.*

But the doctrine of protection was pushed to a most extravagant and unreasonable extent by some of the partisans of Government. It was said, that no subject of the British Crown, living under the laws of a foreign country, should be placed in a worse position than he would be in, if he were living under

* Space forbids detail, but the reader who may desire to examine further into the question, will find the cases stated in the Speech of Mr. Roebuck, on the first evening of debate.

the laws of his own country.* What are the inevitable consequences of this doctrine? An Englishman enjoys the protection of the Habeas Corpus and trial by jury, so long as he continues within the territory of England. Give general assent to this ultra-protective doctrine, and we must forthwith go to war with nearly every other state in the world.

A few facts in illustration of the political condition of Greece may help to clear away some of the prejudice introduced into the question. Since the venerable Bishop Germanos reared the banner of the white cross at Patras, and led the patriot mountaineers to a successful revolt against the Turks, European sympathy savoured too much of *dilettanti* sentimentalism to be practically useful to the young nation. With all the warm professions of love made by liberal Europe for young Greece, she was hardly free from the Turkish yoke when she was handed over to the stupid absolutism of German king-craft. The Greeks bravely carried on the struggle for independence, from 1820 to 1828, when England, France, and Russia, interposed on her behalf; or, to borrow the magniloquent figure of an ex-Attorney-General, 'soared from their illimitable grandeur to protect her.' From the time that Greece raised the standard of nationality, the Government was republican. It was, however, decreed by the three guaranteeing powers that she should have a king. The choice fell on Otho of Bavaria, then a minor; and looking to the happy fortune of the coëval state of Belgium, in electing a chief magistrate with honesty and enlightenment to rule as the servant, not the master of his people, it is to be lamented for Greece that Leopold was not her first President-King. Under the temporizing policy where liberalism is a sentiment, not a principle, England acquiesced in the views of her co-guarantees. Greece was to be made a constitutional kingdom, according to the aristocratic interpretation of that vague phrase. Large promises were made to the nation; when Otho came of age and to the years of discretion (seemingly a remote contingency at the present writing) the Hellenic State was to receive a constitution, and the promise was ratified by the King of Bavaria in the name of his son. Otho duly came of age in corporal maturity, but neither Hellenic king, Bavarian father, nor co-guaranteeing powers, saw fit to keep their promise to the nation; the constitution-making was adjourned to the Greek Calends. Otho reigned for thirteen years as an absolute irresponsible monarch, and the little state became the seat of the diplomatic intrigues of despotism, and chief of Russia, which has never forgotten the last injunction of Peter the Great to his successor—'Prendre part en

* Speech of Mr. Shafto Adair, June 27.

toute occasion aux affaires et démêlés de l'Europe.' The fruits of the irresponsible misrule of this barbarian prince, with the tyranny, corruption, peculation, and profligacy of the Government, were soon manifested in open rapine and plunder amongst the people. The fountain of justice, which had never flowed purely, became altogether stagnant.

And here we must do an act of justice to the Greek people, by a word of vindication from the unjust and ungenerous aspersions lately cast upon them. It is said, that the Greeks are a race unfit for self-government and free institutions. In that bold assertion, there was not only a fallacy of confusion, concluding from the acts of an irresponsible government the character of a whole nation, but a misconception of the genius of the Greek character, and ignorance of facts materially affecting its development for good or evil. The prominent characteristic of the modern Greek, like that of his immortal ancestors, is an intellectual vivacity, producing a restless activity and desire for excitement and change. From the more sober constitution of the northern mind, it is difficult to appreciate the extent and force of this characteristic ; but we may fully comprehend the degrading influence of circumstances all tending to hinder the progress of any race, on a subtle and lively people. Ignorance, the influence of the most superstitious form of Christianity, and grinding oppression, must work evil results on any race ; they acted with more than common virulence in forming the Greek character. Under the grievous weight of an iron rule, the national genius could find no peaceful development save in the pursuits of trade in its lowest and most hurtful form. But the national taste was averse to peace, and rapine and plunder, in consequence, came to be considered a regular occupation. Is it strange that dishonesty, in all its varying forms, from the bold robbery of the brigand to the petty knavery of the pedlar-merchant, should seem the prominent feature of the Greek character—and we judge from the worst specimens the trading Greeks—more especially, as no example for intellectual culture and nobler exertion was held out by a higher class, sunk in degrading luxury or profligacy ? With proofs before us at home, and in every trading city of Europe, of the lamentable results of the Christian oppression of the middle ages on the character of the homeless Jew, we hold up our hands and exclaim, Behold these dishonest, degraded Greeks ! It is surely proof of intellectual vigour, and of capacity for social improvement, that a national spirit did exist and maintain itself against these disastrous influences. The war of independence carried on from 1820 till 1828, and the general character and conduct of the Greek people since they became an independent nation,

may be adduced to justify the belief that under happier influences, with the spread of education, and the civilizing lessons of self-government teaching men the moral and social duties which attend all rights, they are well fitted to take a place amongst the civilized nations of Europe. But instead of education and self-government—which is education, the surest and most practical, and the only mode of creating a great people—the wisdom of modern diplomacy gave king Log to the Greeks.

After an experiment of five years of misrule, the evil results were so manifest that an attempt was made to reform the administration. Otho having gone in search of a wife—and happy would it have been for Greece had he never returned—the government was left in the hands of Count Arensberg. The minister attempted to obviate some of the most dangerous abuses of the government. He gave independence to the judges, freedom to the press, introduced, to some extent, the element of responsibility in the administration of finance, established better police regulations, and, of primary importance to the improvement of the people, he instituted a kind of system of local self-government by provincial councils. Otho having heard tidings of good government and improvement, hurried back in alarm, and dismissed the well-intentioned minister in disgrace. Tyranny, corruption, and brigandage, soon put an end to all social and industrial improvement. The Greek people, unable to bear the accumulated wrongs of this infamous government, and enraged at the perfidious delay of the court in making a constitution, rose, and effected the peaceful revolution of September, 1843. In common fair-dealing to that people, we submit that this fact is worth something in judging of their fitness for the duties of self-government. Unfortunately, they only obtained a paper constitution. There was no guarantee for the preservation of rights by a court which had shown itself above all restraints of morality and justice; and faction, moved by foreign intrigue, was busy. Corruption, misrule, and internal disorders, again overspread this unhappy country. England, in her undoubted right as one of the guaranteeing powers, has endeavoured, through the able and honest ministrations of Sir Edmund Lyons, to use her moral influence to teach the government of Greece a sense of duty and self-respect; but all these efforts were checked by the intrigues of the absolute government of Russia, and the selfish personal policy of the governments by which France has been defrauded and dishonoured for some years. Russia, through her great influence on the members of the Greek Church, has used all the cunning and secret power of her diplomacy to turn this wretched sovereignty into the instrument of her designs on Eastern Europe. Ever true to the commands

of Peter, she has in very recent days been more than fulfilling that injunction of his Testament, ‘S’attacher et réunir autour de soi *tous les Grecs unis ou schismatiques qui sont répandus soit dans la Hongrie, soit dans la Turquie, soit dans le midi de la Pologne ; se faire leur centre, leur appui, et établir d’avance une prédominance universelle par une sorte d’autocratie ou de suprématie sacerdotale* ; ce seront autant d’amis qu’on aura chez chacun de ses ennemis.’ History may, perhaps, be able to disclose some connexion between the ‘holy mission’ of Nicolas and recent occurrences in the islands of Greece.

A very cursory examination of the merits of each case will establish the justice of Lord Palmerston’s plea, that there was a denial of justice to English subjects by the Greek Government. There may be an implied, as well as an express denial of justice. This occurs, as was the case in Greece, where the public tribunals are so constituted, and the administration so impure, that it is unreasonable to expect justice. The judges being directly under the influence and subject to the will and caprice of the sovereign, it is manifest, at the very first step of the argument, that pure administration of justice was not, and cannot be, a reasonable expectation. It is assuredly opposed to the evidence of history. Radically bad, then, as respects litigation between Greek and Greek, is the case better as between an English subject and the Greek Government, against whom he had preferred demands? On general considerations we apprehend it is not; for the reasonable presumption is, that when a tribunal is at the absolute will of the sovereign power, the decision will not be in opposition to that will; in the instance of Greece, the presumption is strengthened by the positive proof of facts—the general impossibility of obtaining justice in opposition to the king’s will; and also, from the peculiar character of these claims, the Government, having, for political and other reasons, made the most public and positive refusal of satisfaction. It is not unimportant to take into consideration also a fact, bearing at least on one of the cases, that Otho the king was the party from whom satisfaction was demanded, and that the law of Greece does not permit an action to be brought against the king. It is important to prevent the mind being prejudiced by a fallacy most unscrupulously used against Lord Palmerston, to bear in view, that although the Government of Greece is really and truly an absolute monarchy, encouraged and supported in all its misdeeds by Russian influence and intrigue, it has had the mean hypocrisy to shield itself by the fictions of the Constitution. A few facts urged by Mr. Cockburn, on incontrovertible authority, are sufficient to show, that even since the establishment of the Constitution of 1843, it was not reason-

able to expect justice in a claim opposed to the will of the sovereign :—

'The Constitution (says the learned Solicitor-General), undoubtedly provides, that the judges shall not be dismissed at the king's pleasure—but they are so dismissed every day. And not only that, but the Greek Government have established this system: as they have a number of courts of equal jurisdiction and authority, they transplant the judges from one to the other, as the purposes of each case may seem to require. When a particular case, in which the government is interested in bringing to a particular decision, occurs in a court, they transplant the judge in whom they can depend into that court.'

In 1846, M. Piscatori, the French minister, brought an action against the editor of a newspaper for libel. The sentence was against the editor, three of the judges against two for acquittal. One of the latter was instantly dismissed in these terms—'The king has been pleased to remove you from the bench.' The editor appealed to the supreme Court of the Areopagus, and on the eve of trial, two of the judges against whom suspicions of impartiality were entertained, were instantly dismissed without any reason being assigned. These facts were not only known, but notorious in Greece. The old Tory plan of packing juries in political trials was nothing to this quick despatch of justice. Will any man who has read the trial of Richard Baxter, in 1685, say that he had a reasonable chance of justice from such a tribunal in any case, where the government had a personal interest? Suppose a royalist mob had plundered the house of Baxter, or any other leading Nonconformist of that day, would a claim for damages against the public have had a reasonable chance of trial with a Jeffries for judge?

But the conclusion that there was a denial of justice, from the want of a reasonable expectation of justice, so as to bring the question within the custom of nations, is positively supported by the refusal on the part of the Government to satisfy claims under their sole jurisdiction. Our demands are founded upon six specific acts. They comprise the appropriation of property by royalty, for which royalty would not pay; public plunder of property; the imprisonment and torture of British subjects; and an act of public insult to the British flag. The first case is that of Mr. Finlay, whose atrocious fault seems to be, that he was born in that country on which my Lord Aberdeen, a most unkindly Scot, has conferred no honour. Mr. Finlay may be 'a cannie Scot'—and a prudent, thrifty disposition has not generally been esteemed a crime, either by protectionist lords or economical doctrinaires—but he is a man of character and learning, who served Greece in the struggle for independence, as he has

served her since, by the elucidation of her history and antiquities. At the time the Turks retired from Greece, he purchased some landed property at Athens. When Otho came to Athens, it was fitting that he should have a palace, and, as a standing memorial of his taste, a costly domicile was erected, of Pentelican marble, after the style of a Manchester cotton-factory. A garden was required, and a portion of Mr. Finlay's lands taken without ceremony. Mr. Finlay did not object to the seizure, but he asked a fair price for the increased value. 'Oh no,' demurred the king, in happy oblivion to the principles of Manchester and all other schools commercial; 'you have no claim to more than you actually paid for the land.' For several years Mr. Finlay's claim was refused. He could not appeal to the courts, because he could not sue the king; and could he have appealed, he had no reasonable prospect of justice. In the meantime the revolution, with its nominal freedom to the courts, took place, but it did not place Mr. Finlay in a better position. The revolution covered the arbitrary act of the king, though it did not blot out the claim against the civil list; but under the constitution proceedings could only be taken against the agents of the civil list, the king could not be sued, and these officers had long ago left the country. All that our Government demanded was, that Mr. Finlay should receive the fair value of his land seized for the private purposes of the king.

The second case was that of M. Pacifico, a native of Gibraltar, of the Jewish persuasion, and a subject of Great Britain. The Athenians, as a proof of orthodoxy, have been accustomed to burn Judas in effigy on Easter day. In 1847, the Baron Rothschild visits Athens, and in compliment to the Baron's wealth, the authorities forbid the customary solemnity; from 300 to 400 irate Athenian youths, assisted by some soldiers and gendarmes, who had just come from church, and headed by a son of Zavellas, the Foreign Minister, attacked Pacifico's house, beat his wife and children, broke his furniture to pieces, and robbed him of money, jewels, and other property, altogether valued by him at £5,000. They destroyed also, as alleged, vouchers for a large claim against the Portuguese Government. A second attack was made in October of the same year, and his family subjected to some violence. At the commencement of the riot, M. Pacifico applied for protection to the Government, but none was afforded. Young Zavellas was afterwards pointed out as a ringleader, but no steps were taken to prosecute him, or to bring the other plunderers to justice. But, say the absolutists, the courts were open to Pacifico. True, he might prosecute criminally, but that could not restore his broken furniture and plundered property. It is idle to talk of the

alternative civil course of suing the individual members of that most respectable mob, and there was no action against the commune, as is the case against the hundred in England. His only course, then, was to seek compensation from the government, and that was positively refused. The cases of the Ionian boatmen, plundered at Salcina, and of the poor men falsely imprisoned, and cruelly tortured by the police, in defiance of the Constitution, are well known, and need not be detailed. It can hardly be pretended that these poor men had a reasonable chance of justice, even under the vaunted constitutional independence of the courts!

The last case is the claim of apology for the insult to the English flag, by the arrest of the boat's crew of H.M.S. 'Fantome,' at Patras, in January, 1848. The Government refused to make the small atonement of an apology. This is a case in which there could be no appeal to the tribunals of the country.

There was another demand, or rather assertion of right to the possession of the two small islands of Sapienza and Cervi, as part of the territory of the Ionian republic. It is a separate question, and remains open for further discussion.

The question of the mediation by France excited much party contention, which had nothing really to do with the matter. The gravamen of the charge was, that Mr. Wyse recommenced hostile measures after the pacific convention of London, but as it was shown that the objectors had assumed more than the facts justified, to wit, that Mr. Wyse was aware of the terms, the accusation fell harmless. It is unlikely we should have heard one word of the question, if the French Government had not seized it as a fitting opportunity to aid their conspiracy against the liberties of the French people, by exciting a war cry against England. And, perhaps, a more sordid feeling was at work. M. Bonaparte had every selfish motive to gain a temporary popularity by an appeal to the worst passions of the people; the *Dotation Bill* was under discussion. But the cry of *perfidie Albion* had lost its magic as a popular watch-word; the democratic party saw the perfidy and defeated it.

Much has been said as to the harsh mode in which the claims were enforced by us. If we admit the justice of adopting the course prescribed by the custom of nations, and the only one left, then, so long as a war policy is maintained by this country, Lord Palmerston was justified in his measures. Greece, by her obstinate refusal to admit the claim for reparation, barred the possibility of adopting a pacific middle course. But looking at the whole facts of the political state of Greece, and of the tortuous system of despotic intrigue of which she was made the instrument, a strong demonstration of the power of England

to protect her subjects from insult, and plunder, and torture, was a necessary policy. Could the veil of diplomatic intrigue be withdrawn from these classic shores, the world might be astonished at the complicated machinery by which the puppet Otho has been moved.

The second branch of the question opens a much wider range of discussion, but as the principles involved are simple, and the facts have been well discussed separately, by parliament and the public, the remarks pertinent to this occasion may be reduced to much narrower compass. The general policy of non-interference may be said to be a duty co-ordinate with the abstract rights of nations. As each independent state is a supreme power, no civil authority can interpose in the regulation or management of its internal affairs. But there is a moral obligation on all nations to act with justice and benevolence towards each other, and the more free the intercommunication of nations, and the greater the reciprocal advantage proceeding therefrom, so are the difficulties of carrying out that obligation removed. Under the custom of nations, opinion becomes a power for enforcing it. If the selfish ambition of a potentate moves him to attack a weak state, the indignation of nations is aroused, public expediency prompts the interposition of aid, and justice sanctions it; but if he should trample on the liberties of his own subjects, there is no *prima facie* case for a forcible interference. With the progress of nations, the exception to the rule is enlarged, for if the moral law of benevolence is equally incumbent between nations as between men, nations are bound by common ties of humanity to render each other assistance. On the demand for foreign assistance against domestic oppression and lawless tyranny, which shall appear to be clearly in the nature of a national demand, that is of a vast proportion of the people, intervention is recognised by the custom of civilized nations. Some of the most important events of history have been accomplished under this exceptional principle. Thus England gave aid to the United Provinces of the Netherlands against Spain; the Prince of Orange and the States enabled England to effect the revolution of 1688; and France in turn assisted the Americans to free themselves from the oppression of England; all great facts in the history of the freedom and progress of man.* The right of interference must therefore depend on

* A case stronger than any one of these was of possible occurrence last year in the glorious struggle for the laws and liberties of Hungary. Had the Hungarians called for an armed intervention, the intervention would, we apprehend, have been morally and lawfully justified. Hungary was not rebelling against the tyranny of a king, but was opposing one who was not king under the constitution, sworn to by his immediate predecessor, who had vacated his office, and whose pretensions were supported, not by Hungarians,

the special circumstances of the case. If armed interference may be justified in cases, much more so, and much more generally so, may the use of good counsel and persuasion be justified in the intercourse of nations.

Unluckily, the principle of non-interference, the generally sound policy of which we have fully and cordially admitted, is not often understood by those who assert it. It has become a stereotyped phrase of speech, signifying anything or nothing as suits the sentiment of the hour. Act on the principle as rigidly and with as little consideration as it is daily asserted as an article of the political creed in conversational politics, and each nation must recall its ambassador and 'wandering citizens,' close its ports, and shut itself up in isolation from the world. Narrow the principle within the little world, and in time we may get rid of moral responsibility, and dry up the fountains of benevolence, charity, and humanity. To maintain the theory with all the rigidity of abstract principle, and at the same time preserve the just relations of nations, we must suppose a condition of perfect equality in the territory and strength, in the intellect and civilization of nations more socialistic than socialism itself. For until the age of social perfectibility shall come, the strong will threaten the weak, and the weak, by necessity, stand in want of counsel or aid from the strong. Nicolas of Russia in 1848, declared that but two powers then existed in Europe—Revolution and Russia. Can peace or progress, or prosperity, prevail amongst nations, when the one power has proclaimed a war of extermination against the other? There may be a great deal of Russo-phobia in Europe, but there are too many proofs to the contrary to doubt that Russia is now the strength and hope of the legitimacy and absolutism of Europe. On the authority of the Tory converts, we may consider the division of 1850 to be England against the whole despotism of Europe. The issue lately determined was not on the abstract question of interference or non-interference, but on a great fundamental principle of progress. It would be well for those who maintain the con-

but by Austrians, that is, foreign soldiers. The resistance was not only a national resistance; but the government was *de facto* and *de jure* the government of Hungary. "Stet rei agendi potestas," as the jurists would say. It had at least the right to call for foreign aid. One of the Tory arguments in the late debate was this: if Lord Palmerston is permitted to interfere in foreign affairs, why not allow the right to Nicolas of intervention in the affairs of Hungary? There is no analogy; Lord Palmerston, with all his alleged warlike propensities, never marched an army into Italy, as Nicolas did into the territory of a foreign country, to aid another foreign aggressor, whose foreign army had been signally beaten. The courtly language of diplomacy may not permit the term brigandage to the act, but it was assuredly one of daring foreign aggression.

sistency of working out a principle at all costs, to bear in mind that there are two classes of social principles—principles fundamental and essential to the right constitution of society; and principles accidental—important to its development, though not essential to its existence. To illustrate the distinction: all rational Englishmen recognise self-government to be essential to the freedom of the nation; that is a fundamental principle. But all Englishmen do not maintain that arbitration in international disputes is essentially necessary for freedom, however important it may be towards its development; that is the principle accidental. This is certain, that the one is very much more fundamental than the other; as the foundation of the nation must precede the confederation of nations. But we submit, looking to the fierce antagonism which now prevails between freedom and despotism, that the universal recognition of the one is essentially necessary to the possible acknowledgment of the other. Look at the present condition of Europe. See Russia, inspired with her ‘holy mission,’ with absolute Austria, the vassal, on the one side, and republican France, the pliant ally, on the other, casting the network of her selfish intrigues over every kingdom and principality of the civilized world. Behold freedom prostrate beneath the bloody hands of vengeful kings, and answer, Are these the instruments, or is this the time, to realize the glorious aspirations of peace and goodwill amongst men? Is England, then, the light of free institutions, to continue in antagonism to these powers of political darkness; or to retire from the contest, and leave the unholy alliance to quench the flickering hopes which live in Europe? These are the principles, considerations, and necessities, on which a just judgment of Lord Palmerston’s policy must be formed.

We cannot enter into the details, neither can we approve of all the acts charged in the indictment. His interference in Portugal was, doubtless, neither wise nor well—stifling liberalism without procuring any alleviation of a grievous despotism; his tender of good counsel to Spain may have been too energetically expressed; he may have been too slow to produce the famous Austrian despatch; he may have mixed himself somewhat rashly in the affairs of Piedmont, and excited too fond hopes from the mission to Rome and Sicily; but it cannot, we think, be said, by any one who reviews these events with the calm and dispassionate mind which we apply to the study of history, that he endangered the peace of Europe. The plea of good intention, of a sincere wish to promote, by the offer of friendly counsel, the progress of constitutional liberty, the desire to prevent the outbreak of a fierce collision in Italy, prompting him to accede to the solicitations of the sovereigns

of Rome and Naples—these and other motives, so powerfully enforced in his candid and eloquent defence, are surely worth something, in judging of his general policy during the stormy years of recent revolution. If it is fair to judge ministers as men, then is Lord Palmerston entitled to some credit, for having, in times of unexampled difficulty, with all the powers of continental absolutism opposed to him, kept England at peace with the world. On these grounds, and chiefly because the censure of the strangely-allied opposition in the Houses of Lords and Commons, was really and in truth a manifesto of another holy alliance of European despots, we think the declaration by the House of Commons just, generally in accordance with the views of the liberal mind of England, and well calculated to sustain the fainting courage of continental liberalism. That it is so considered by liberal foreigners, we have every reason to believe, from the congratulatory tone of the liberal and democratic journals of France and Germany.

It is certainly to be regretted that a discussion, involving principles so important, should have hung not on the merits of each specific question, but on the success of the party which, by accident, became representative of certain other general principles. On that vote not only rested the hopes and free aspirations of continental nations, but the immediate progress, and, possibly, the safety of the great economical principles on which so much of the happiness of England depends. However much we may have regretted special cases in Lord Palmerston's career, and condemned the oligarchic system and mischievous legislation of his Whig colleagues in reference to many acts of domestic policy, we cannot help feeling that any vote which might tend to deliver foreign affairs into the hands of Lord Aberdeen, and place free-trade at the mercy of the Protectionist party, was a contingency most disastrous to the progress of freedom in Europe, and to the prosperity, and possibly to the peace of England. The lamented death of Sir Robert Peel has already worked a change in the aspect of party. It is not difficult to foresee a re-union and re-construction of a Tory party, animated by one Tory feeling. Let the Whigs be warned in time by the events past and possible. For the eminent abilities of Lord Palmerston, we entertain a just respect—a feeling which would increase if his lordship would adopt a less haughty tone to other states; for his less liberal colleagues we are not without some hope that the events of the past month may teach them more wisdom. They may redeem past errors by the policy of the future, but there is only one course of policy which can save them, and save their country from the miseries and the perils of Tory domination—to govern and legislate no longer for

class, or for the petty interests of class, but for the people of England. Then, and then only, may they defy all the absolute conspiracies and conspirators of England and Europe.

One word as to the un-English prophecy with which the debate was concluded. Mr. Disraeli, from the precedent of Venetian history, drew the conclusion that England had seen the last of her proud pre-eminence amongst the nations. But Mr. Disraeli misstated historic facts. That haughty republic fell from the greatness of her power and place because she was ruled by a heartless oligarchy. Unmindful of all responsibilities, dead to all moral obligations, Mammon her God, class aggrandizement the only aim of her policy, her star may have paled at Cambray, but she fell never to rise again from her too great prosperity, the victim of class-rule and commercialism. The melancholy desolation which hovers o'er her deserted palaces, and the silent pathway of her waters, conveys, it is true, an impressive warning to England to avoid the errors of the once commercial mistress of the world. But there is only one course for England, if she would be moved by that solemn warning, to abandon all that she still holds of the narrow and selfish policy of which the honourable gentleman is the representative, and proceed onwards, calmly and steadfastly, in fulfilment of the glorious mission which the poet claimed for her of teaching the nations how to live.

Brief Notices.

Modern State Trials. Revised, and Illustrated with Essays and Notes.
By William C. Townsend, Esq., M.A., Q.C. Two Vols. 8vo.
London : Longman and Co.

THE phrase, 'State Trials,' is used by Mr. Townsend to designate such as are 'likely to command the attention of all members of the community, and to be read by them with pleasure and profit.' Whatever question may be raised respecting the logical correctness of such a definition, no doubt can be entertained of the spirit and variety of the work being increased by its adoption. Those who demur on this point, will do well to examine the volumes before us. The trials included are those of John Frost, Edward Oxford, James Stuart, the Earl of Cardigan, Courvoisier, M'Naughten, Alexander Alexander, Smith O'Brien, Lord Cochrane, the Wakefields, Hunter and others, John Ambrose Williams, Charles Pinney, Mr. Moxon, and Daniel

O'Connell. It is rather difficult to account for the selection of some of these. On the same principle, a vast number of others might have been included, and the value of the work would thereby have been increased. Judging from the title-page, we expected to meet with reports of the trials of William Hone and others during the premiership of Lord Liverpool; but the first sentence of the *Introduction* extinguished such anticipations, by informing us that the cases selected were such as had occurred within *the last thirty years*. Why this limit was fixed, we know not. We regret the fact on many accounts, and principally as the trials alluded to would have afforded an opportunity of bringing out some of the most instructive comments suggested by the history of our past jurisprudence. Perhaps Mr. Townsend's limits were fixed on this very account, as no part of his work leads us to suppose that the censure of those in authority is grateful to his taste. We should also have been glad if the reports had been more condensed, so as to have admitted a greater number. The speeches of counsel and the examination of witnesses are sometimes given at too great length, so as to weary the general reader, for whom the work has evidently been prepared. A more condensed narrative, admitting of a larger selection, would, on many accounts, have been preferable. Taking the work, however, as it is, we receive it with grateful acknowledgment, as an instructive record of many transactions which Englishmen should clearly understand and long remember. It is interesting as well as instructive; and, though not suited for continuous reading, may be consulted with advantage and pleasure during the leisure hours which frequently occur. 'It has been the object of the editor to free the work from dry severity by introducing the "*loci lœtiores*" of the advocates, the salient parts of cross-examination, those little passages of arms between the rival combatants which diversified the arena, the painting of the forensic scene, the poetry of action of these legal dramas.' No intelligent reader will regret the money expended in the purchase of these volumes, or the time devoted to their perusal.

Daily Bible Illustrations : being Original Readings for a Year, on Subjects from Sacred History, Biography, Geography, Antiquities, and Theology. Especially designed for the Family Circle. By John Kitto, D.D., F.S.A. Edinburgh: W. Oliphant and Sons.

DR. KITTO's labours in the department of Biblical illustration have secured him a worthy place amongst his contemporaries. His labours have been equally varied, extensive, and useful, and entitle him to the best thanks of the Christian Church. The present work, of which the volume before us constitutes the second, is one of the best, and will prove, we doubt not, one of the most popular of his productions. It is based on an admirable plan, and unites many qualities well fitted to give it general acceptance, and to render it pre-eminently useful. The former volume was founded on the record we possess of the Antediluvian and Patriarchal Ages, while this proceeds

to the end of the Book of Judges,—making the more prominent narratives of scripture the basis of brief illustrations, suited to daily reading for the three months, April, May, and June. We know not a better book, of its kind, in our language. The results of very extensive reading are brought to bear on the illustration of scripture history in a style clear and unembarrassed, and in a spirit admirably suited to benefit the reader. ‘The work,’ as Dr. Kitto remarks, ‘is not a history—not a commentary—not a book of critical or antiquarian research—but is something of all these.’ It is, in fact, the production of an intelligent, well-informed, and devout mind, earnestly concerned to give consistency and definiteness to the views of scripture readers, by encouraging the habit ‘not merely of reading, but of thinking, over its contents.’

The heads of families will do well to adopt it as a book for daily perusal; and the young cannot easily find a more intelligent, instructive, or devout companion. We commend it emphatically to all classes of readers, as pre-eminently suited to remove misconceptions, to clear up difficulties, and to impress the mind with a deeper sense of the truthfulness and value of the word of God.

Readings for Railways: or, Anecdotes, and other Short Stories. Reflections, Maxims, Characteristics, Passages of Wit, Humour, and Poetry, &c. Together with Points of Information on Matters of General Interest. Collected in the course of his own reading. By J. B. Syme. London: Charles Gilpin.

WE have copied this title-page in full, as giving—what some title-pages fail to do—an accurate account of the volume itself. It is scarcely necessary to say more than that the promise it makes is faithfully performed, and such of our readers as are about to travel, whether by railway, steam-boat, or other carriage, will find it a most pleasing and instructive companion. Referring to the exceptionable character of many of the works vended at railway stations, Mr. Gilpin remarks :

‘The publisher believes that it is perfectly possible to secure a class of reading, which, while not inferior in interest to those books which now almost monopolize the station tables, shall yet possess a decidedly moral tone and instructive tendency; and seeing the amount of time spent in travelling—an amount which it is probable will yet greatly increase—he has determined to make the attempt to introduce such literature for railways as may be approved by the great mass of the reading public.’

Heartily approving the design of the series, we are glad to be able to speak well of the execution of this volume, which consists of a variety of papers, selected from the writings of some of our ablest and most popular authors. All have their merit and attraction, and some are exceedingly fascinating.

Memoir of the Life of Joseph Gutteridge, Esq., of Denmark-hill, Surrey.
By Edward Steane, D.D. 12mo. London : Jackson and Walford.

MR. GUTTERIDGE occupied a distinguished place in the religious body to which he belonged, and was held in high and deserved esteem. He lived to a very old age, and retained to the last the affectionate respect of all about him. His biographer was on intimate terms with him for many years; saw him at home as well as abroad; and had, therefore, a much better opportunity of estimating his character than those who met him only in public life. It is due both to Dr. Steane and to Mr. Gutteridge to keep this fact in mind, as otherwise the sketch drawn will be regarded as too uniformly eulogistic. We confess to some feeling of this kind, after all the allowance which the aforesaid consideration suggests. A want of discrimination is the fault of religious biographies, and the present volume is not free from the charge. We say not this in censure of Dr. Steane. Had our circumstances been like his, we should, probably, have written as he has done; but looking at the matter from a different point, we are sensible of what we deem a deficiency in the portraiture of his friend. It is not in human nature to be faultless, and the interests of the living are best served by a candid and loving acknowledgment of the failings of departed worthies. Mr. Gutteridge probably had as few failings as pertain to most good men, but the affectionate reverence of his biographer has painted him as a perfect man. The style of the work is chaste and graceful; and the memoir itself, without possessing any special points of interest, will be found both attractive and useful to a large class of readers.

Auvergne, Piedmont, and Savoy: a Summer Ramble. By Charles Richard Weld. London : Parker.

MR. WELD is a man of cultivated mind, with a quick susceptibility to the beauty of this fair world, and considerable power of communicating his impressions of men and things to others. He has been fortunate, too, so far as his book is concerned, in his field, rich in historical recollections, in beauty, and in scientific interest, and, above all, for a publishing tourist, almost untouched by the note-taking tribe. The result of this happy union of subject and sketches is one of the best books of travel we have lately had—full of life and freshness. Though coming under the modest title of a summer ramble, it is made of much less flimsy material than most of its class; being evidently the production of an experienced traveller, who, to wide knowledge of Continental Europe, adds a keen observant eye for the peculiarities of people as well as country, and is throughout the man of reading, the man of taste, and the gentleman. If any of our readers are hesitating where to wander to in these summer months, we advise them to take Mr. Weld for their companion, and be off; and if, like us, they are chained at home, they will find him a pleasant substitute for a trip *in propria*.

The National Cyclopædia. Vol. X. 8vo. London: Charles Knight.

THIS work is steadily approaching to its completion, in honourable fulfilment of the promise of its publisher. We have had frequent opportunities of recording our judgment on its great merits, and, without pledging ourselves to an approval of all its contents, we are free to repeat our opinion that, for excellence and cheapness, it stands without a rival in our popular literature. Our fathers would not have credited the possibility of so much scholarship, varied research, profound science, and general information, being brought within the reach of so large a portion of the community. We, however, rejoice in the fact which they deemed so incredible, and gratefully acknowledge the claim of Mr. Knight to the admiration and thanks of his countrymen. Few have laboured so diligently, or have achieved for themselves so honourable a fame. The 'National Cyclopædia' is in itself a library, and should be obtained, even at some sacrifice, by every young man who wishes to possess the means of ready access to the multifarious results of modern learning and research.

The Vale of Cedars; or, the Martyr. A Tale of Spain in the Fifteenth Century. By Grace Aguilar. London: Groombridge.

THE authoress of this most fascinating volume has selected for her field one of the most remarkable eras in modern history—the reigns of Ferdinand and Isabella. The tale turns on the extraordinary extent to which concealed Judaism had gained footing at that period in Spain, and on the terrible operations of the secret Inquisition. The heroine of the volume is a young Jewess, a beautiful creation, whose fortunes are blended with those of her husband, a Jew holding a high position in the court. His sudden violent death leads to the imprisonment and trial for murder of an English nobleman, a resident in Spain, whose early love for Marie has not escaped the observation of the secret grand inquisitor. To save his life, she has to give evidence on his trial—avows herself a Jewess, is spirited away to the dungeons of the Inquisition, assailed there by the vile persecutions of the head of that tribunal, but is delivered in time to rescue the innocent, and to disclose the existence of the Inquisition. Refusing to abjure the faith of her fathers, she loses her royal friends, her young hopes, and returns to her father's house to die. This rapid outline will show there is incident enough in the tale; and we need only say that it is marked by much power of description, and by a woman's delicacy of touch. It contains stuff enough to float half a dozen three-volume novels, and will add to its writer's well-earned reputation.

The Missionary Souvenir. Edited by the Rev. Thomas Aveling. London: John Snow.

THIS small volume, very neatly and tastefully 'got up,' owes its appearance to the bazaar recently held on behalf of the Walthamstow School for the Daughters of Missionaries. 'It was thought,' says the

editor, 'that the occasion of a fancy sale, for the purpose of aiding the funds of this deserving institution, would afford a suitable opportunity for presenting to the public a work which, by its title and contents, might perpetuate the feeling of interest which has of late been awakened on the behalf of these children of the warriors of the Cross.' Such a design will of itself commend the volume to many readers, and its contents will not disappoint their expectation. Though brief, and light in texture, they are varied, pleasing, and useful. Poetry and prose, narrative and counsel, the bright hues of imagination and the more sober colouring of reason, are happily blended in a style of chaste and subdued ornament. We shall be glad to find that the sale of this small volume is as gratifying to Mr. Aveling, as the success of the fancy sale must have been to the lady by whom it was projected and carried through.

The Life of a Vagrant; or, the Testimony of an Outcast to the Value and Truth of the Gospel. To which is added, a brief and original Account of Andrias Stoffles, the African Witness. London : Charles Gilpin.

THIS little volume will be read with considerable pleasure by all who are interested in tracing the fortunes of the poor. 'I can vouch,' says the Rev. John Waddington, 'for the correctness and fidelity of his narration. It is thoroughly genuine.' By the sale of this little book, it is hoped that funds may be realized which will enable the author to devote his time to the religious benefit of his class. We shall be glad to contribute to so desirable an end. The narrative is simply told. It opens up many views of humble life not commonly seen, and is pervaded by a devout temper, and an obvious desire to do good.

The Crisis of Being: Six Lectures to Young Men on Religious Decision. By the Rev. D. Thomas. Second Edition. London : Ward and Co.

WE are glad to find that a second edition of this little volume has been called for. The fact is honourable to the public, and affords gratifying evidence of the prevalence of a sounder and more healthy taste than has always been cherished by religious readers. We repeat the emphatic recommendation which we gave the work on its first appearance. It must not be confounded with the common run of religious works, the mental poverty and servile repetitions of many of which are only adapted to bring religion into disrepute, by associating it in the apprehension of intelligent observers with imbecility, narrow-mindedness, and a mere wordy devotion.

Health, Disease, and Remedy, familiarly and practically considered in a few of their Relations to the Blood. By George Moore, M.D. London : Longman and Co.

THE first part of this volume is a familiar exposition of the circulation of the blood, and the relation between that and the other animal functions. This is followed by a series of chapters on the conditions requisite

for the preservation of health, touching on food, beverage, rest, &c., and by others on the art of healing, including some very sensible remarks on quackery, private doctoring, bathing, and so on. The essence of the book may be summed up in this: ‘understand enough of the laws of the animal functions to keep yourself in health when you are well, and when you are ill, send for a doctor.’ To both parts of the advice we should say Amen—and in order to carry out the first part, we recommend Dr. Moore’s volume as a clear and interesting exhibition of the more simple facts that every man ought to know, and may learn better from this well-written volume, than from any work that he can lay his hands on.

Family Pictures from the Bible. By Mrs. Ellet. London: Peter Jackson. 8vo. Pp. 212.

A PLEASING volume, which will receive a hearty welcome from many readers, and be prized in proportion as its spirit and useful tendency are understood. It is divided into twenty chapters, devoted to the elucidation of the more prominent features of as many households mentioned in the inspired volume. Fourteen of them are, we presume, the productions of Mrs. Ellet, and the remaining six bear the names of their authors. Together they constitute a volume of more than ordinary interest, in which devotional sentiments are happily blended with reflections and counsels, which all may read with advantage. The volume is tastefully executed, and will grace the drawing-room table, as well as prove a useful companion to the solitary reader.

First Class-Book of Physical Geography. By William Rhind. Edinburgh: Sutherland and Knox.

WE have been exceedingly pleased with the arrangement and execution of this small book. It is the only thing of the kind we know, and the science to which it is devoted has now made such progress that teachers should include it in their subjects. Mr. Rhind’s volume will furnish an admirable text-book for the purpose. It is clear and correct, so far as we have seen, and written with condensation as well as fulness of illustration.

The History of Scotland. By the Rev. Thomas Thomson. For the use of Schools. Edinburgh: T. and T. Clark.

THIS volume merits a favourable notice as a comprehensive and yet concise history, written in a religious tone, by a man of liberal principles and sound knowledge. A little less space given to the early reigns, and to mere fighting, would have left room for those notices of the social and intellectual life of the ‘rascal multitude,’ in which the book is somewhat deficient. It is a simple narrative of events, clearly told, by a thorough Scotchman and true-blue Presbyterian.

The Early Conflicts of Christianity. By Rev. William I. Kip, D.D.
London : Longman and Co.

THIS volume aims at presenting vividly before readers moderately versed in ecclesiastical history, the features of the first century which were especially antagonistic to the gospel. For this purpose the life of St. Paul is chosen, as first in conflict with Judaism, next at Athens with Grecian philosophy, and then at Corinth with the licentious spirit of the age ; followed by barbarism, and Grecian Mythology, in which two parts, no one incident in the apostle's life is selected as a peg to hang the dissertation on. The idea of framing these successive portraits of the enemies of the gospel in this way, is good and well worked out. There is a considerable amount of accurate information conveyed, and the style of the volume is always animated and picturesque, so that most readers who take it up will go through with it. It is not meant for students, and they had better leave it alone ; for others, it will possess many attractions, as well as convey much knowledge.

Gazpacho ; or, Summer Months in Spain. By W. G. Clark, M.A.
Fellow of Trinity College, Cambridge. London : Parker.

As an unintelligible title is a great point now-a-days, we shall respect Mr. Clark's confidence, and not reveal whether Gazpacho is the name of person, place, or thing. The book which is so christened, is a slight, but pleasant enough record of a partial tour, in which the author has little to say about anything except his inns and guides, ruined convents, and cool cathedrals. We bring away with us neither pictures nor facts, neither sentiment nor statistics, nor, indeed, anything to speak of, except an impression that the writer's unconquerable propensity to make jokes, to which propensity the corresponding capacity has not been added, would be all the better for Thomas Carlyle's admonition—

'Witty!—above all, oh! be not witty—'

A Journal of Summer Time in the Country. By the Rev. R. A. Wilmot, Sen. London : Parker.

THIS is a very pleasant book for people at certain times and in certain places. If you have nothing to do, and wish to do nothing—if you have a garden with a chestnut-tree in it—if you would like as a companion out there on a bright, hot day, a man with a large store of reading amongst our English poets, who is himself an Arcadian—who can criticise, moralize, and all without your having much trouble in listening—if all these conditions are united in our readers, then let them put themselves under Mr. Wilmot's guidance. He is a gentleman, a scholar, a man of taste, with a sweet style, and, what is a great advantage for the season of the year, if you should sleep during part of his homily, you can go on quite as comfortably again when you wake. This sort of drowsy air is, perhaps, the perfection of the book, considering its title. There is a lack of sinew, of pith ; so that, unless the reader wants lulling (which the chestnut-tree will do far better), a very small dose at a time is enough.

Scripture Sites and Scenes. From actual survey in Egypt, Arabia, and Palestine. Chiefly for the use of Sunday Schools. London : Arthur Hall and Co.

THIS valuable volume contains the substance of 'Walks about Jerusalem,' and 'Forty Days in the Desert'—condensed and adapted for its present purpose by Mr. Bartlett, the author of these two well-known works. It is, therefore, unnecessary to do more than mention its publication, with the warm recommendation which its graphic descriptions and useful pictorial illustrations richly deserve.

Truth or Orthodoxy?—To which must we Sacrifice? A Friendly Address to the Wesleyan Methodist Preachers of Great Britain. By Henry Burgess. Leeds : Heaton.

AN address on the evil effects of requiring from ministers a subscription to doctrinal standards. It contains a great deal of wholesome truth, of which other bodies than Wesleyans will supply illustrations. It is not in that community alone that the character sketched here is to be found.

Literary Intelligence.

Just Published.

The High Priest's Dress; or, Christ arrayed in Aaron's Robes. By Rev. D. F. Jarman, B.A.

Memoir of the late James Halley, A.B., Student of Theology. By Rev. Wm. Arnot, Glasgow.

Latter-day Pamphlets. Edited by Thomas Carlyle. No. VII. Hudson's Statue.

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